

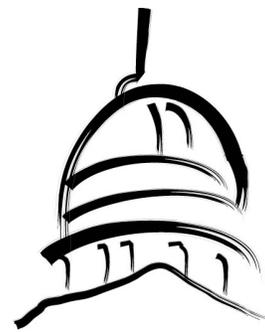
Juvenile Justice and Youth Aids Program



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*Prepared by
Art Zimmerman*

*Wisconsin Legislative Fiscal Bureau
One East Main, Suite 301
Madison, WI 53703*

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Juvenile Justice and Youth Aids Program

The 1993 and 1995 sessions of the Wisconsin Legislature enacted major revisions of the state's juvenile justice system. Under 1995 Wisconsin Act 27, the 1995-97 biennial budget act, juvenile delinquency programs and services were transferred, on July 1, 1996, from the former Department of Health and Social Services to the Department of Corrections. Under prior law, Chapter 48 of the Wisconsin statutes (the Children's Code) described the legal framework of the state's child welfare and juvenile justice systems. Under 1995 Wisconsin Act 77, juvenile delinquency provisions were removed from Chapter 48 and revised and incorporated into Chapter 938, referred to as "the Juvenile Justice Code." (Chapter 48 remains as the Children's Code, relating to child welfare and protection.) In the 1997 session of the Legislature, numerous additions and clarifications were made to the juvenile code.

Under Chapter 938, the Legislature states that its intent is to promote a juvenile justice system capable of dealing with the problem of juvenile delinquency, a system which will protect the community, impose accountability for violations of law and equip juvenile offenders with competencies to live responsibly and productively. Chapter 938 is also intended to accomplish the following: (a) protect citizens from juvenile crime; (b) hold each juvenile offender directly accountable for his or her acts; (c) provide an individualized assessment of each alleged and adjudicated delinquent juvenile, in order to prevent further delinquent behavior through the development of competency in the ju-

venile offender, so that he or she is more capable of living productively and responsibly in the community; (d) provide due process through which each juvenile offender and all other interested parties are assured fair hearings, during which constitutional and other legal rights are recognized and enforced; (e) divert juveniles from the juvenile justice system through early intervention as warranted, when consistent with the protection of the public; (f) respond to a juvenile offender's needs for care and treatment, consistent with the prevention of delinquency, each juvenile's best interest and protection of the public, by allowing a judge to utilize the most effective dispositional option; and (g) ensure that victims and witnesses of acts committed by juveniles are afforded the same rights as victims and witnesses of crimes committed by adults, and are treated with dignity, respect, courtesy and sensitivity throughout any proceedings.

This paper provides an overview of juvenile crime statistics in Wisconsin, the state's juvenile justice system, youth aids funding provided to counties and community-based programming for juveniles.

Wisconsin Juvenile Crime Statistics

This section provides information on total juvenile arrests and juvenile arrest rates in Wisconsin as well as statistics for specific types of offenses.

Under Wisconsin law, a juvenile is defined as any person under the age of 18 years, except that for purposes of investigating or prosecuting violations of state or federal criminal law, a "juvenile" does not include a person who has attained 17 years of age. Under prior law, 17-year-old offenders were treated as juveniles. Under 1995 Wisconsin Act 27, 17-year-old offenders began to be treated as adults, first effective January 1, 1996.

Juveniles may be taken into custody by law enforcement personnel when the officer reasonably believes that the juvenile has committed an act in violation of state or federal criminal law, is a runaway or has violated some other law or court order. Juveniles who are taken into custody are not considered arrested under state law. However, the national Uniform Crime Reporting (UCR) system, from which the following data is obtained, refers to the apprehension of both adults and juveniles as an arrest. Therefore, this paper refers to juvenile arrests.

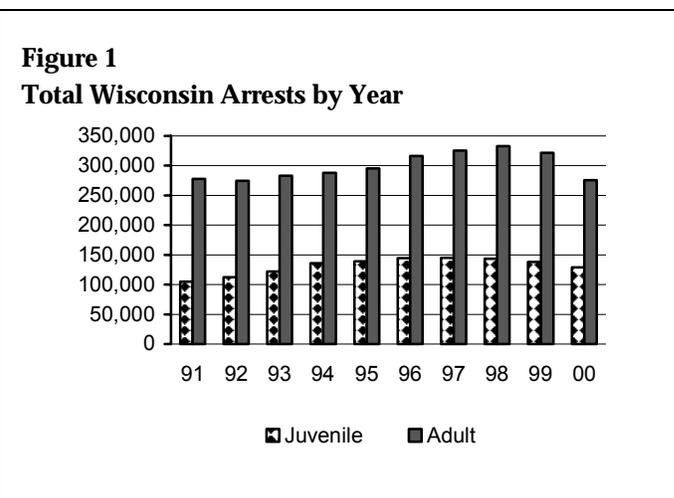
The UCR system also records 17-year-old persons in the juvenile category. While this treatment is no longer consistent with Wisconsin law, this practice allows for comparisons with prior year statistics and data from other states. The arrest data provided in this section, then, covers a ten-year period (1991 through 2000); further, the age of persons considered to be juveniles is consistent throughout this period. Additional crime data can be found in a document entitled "Crime and Arrests in Wisconsin - 2000," published by the Office of Justice Assistance. (The "Crime and Arrests in Wisconsin - 2001" report was not yet available at the time this paper was published.)

Total Juvenile and Adult Arrests

Juveniles arrests were relatively stable in the mid-1980s, but increased each year from 1989 to 1997. From 1997 to 2000, total juvenile arrests declined by 11%. Over the ten-year period 1991 to 2000, the total number of juvenile arrests increased by 23%, from 104,791 in 1991 to 129,095 in 2000.

Juvenile arrests averaged 131,413 arrests annually during this ten-year period. In contrast, over the same period, total adult arrests declined 0.8%, from 277,558 arrests in 1991 to 275,446 arrests in 2000. Figure 1 shows the total number of juvenile and adult arrests statewide for the years 1991 through 2000. In 2000, juvenile arrests comprised approximately 31.9 percent of all arrests in Wisconsin, while the juvenile population in 2000 comprised approximately 25.5 percent of the total state population.

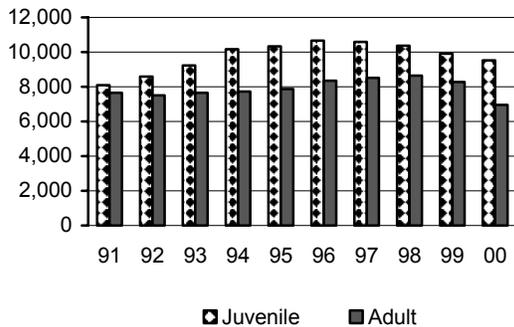
Of the juveniles arrested in 2000, 89,647 were male (69.4%) and 39,448 were female (30.6%). Offense categories that had the highest percentage of arrests of juvenile males included disorderly conduct, theft, liquor law violations, curfew violations, vandalism and drug law violations. Offense categories that had the highest percentage of arrests of juvenile females included disorderly conduct, theft, liquor law violations, runaways, curfew violations and assaults.



Juvenile and Adult Arrest Rates

The population under age 18 in Wisconsin increased by 4.5% between 1991 and 2000, from 1,295,962 juveniles to 1,354,675 juveniles. The arrest rate (expressed as the number of arrests per 100,000 residents) removes the effect of differing sizes of population on the number of arrests and permits

Figure 2
Wisconsin Annual Arrest Rates (Per 100,000)

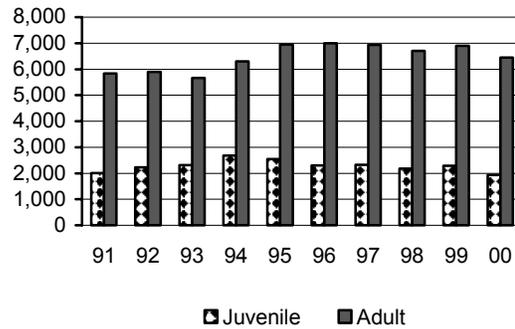


the comparison of the number of arrests over time on a uniform population base. As shown in Figure 2, the overall juvenile arrest rate increased from 8,086 arrests per 100,000 juveniles in 1991 to 9,530 arrests per 100,000 juveniles in 2000. This represents a 17.9% increase in the overall juvenile arrest rate over the ten-year period. The rate, however, dropped 8.1% between 1998 and 2000. Also shown in Figure 2, the adult arrest rate decreased over the same ten-year period (from 7,658 to 6,960 arrests per 100,000 population), representing a 9.1% decrease. Throughout the ten-year period, the juvenile arrest rate was consistently higher than the adult arrest rate.

Juvenile and Adult Arrests for Violent Offenses

Total juvenile arrests for Part I violent offenses as defined by the UCR (murder, forcible rape, robbery and aggravated assault) decreased from 2,003 arrests in 1991 to 1,930 in 2000, a decrease of 3.6%. Juvenile arrests for violent offenses increased each year through 1994 (to 2,674 arrests) and have remained at lower levels since then. From its peak in 1994, juvenile arrests for violent crimes decreased 27.8% by 2000. Adult arrests for Part I violent offenses increased over the ten-year period from 5,837 arrests in 1991 to 6,451 arrests in 2000, a 10.5% increase. However, after reaching a high of 6,993 arrests in 1996, the number of adult arrests

Figure 3
Arrests for Part I Violent Offenses



for violent offenses decreased 7.8% to the 2000 level. Figure 3 shows the total number of juvenile and adult arrests statewide for Part I violent offenses for the years 1991 through 2000. In 2000, juvenile arrests comprised 23.0% of all arrests for Part I violent offenses in Wisconsin, less than the percentage the juvenile population represented of the total state population (25.5%).

Distribution of Juvenile Arrests

The 129,095 juvenile arrests in Wisconsin in 2000 were distributed among four, broad categories of offenses: (a) 1.5% were for violent offenses (murder, forcible rape, robbery and aggravated assault); (b) 15.7% were for property offenses (burglary, theft, motor vehicle theft and arson); (c) 22.5% were for status offenses (offenses which would not be crimes were they committed by an adult, such as liquor law violations, curfew violations and runaways); and (d) 60.3% were for other offenses (primarily, disorderly conduct, drug-related violations, weapons violations, simple assault and vandalism).

Violent offenses constituted less than two percent of all juvenile arrests in Wisconsin in 2000, and juvenile arrests for violent offenses decreased by 3.6% from 1991 to 2000. The juvenile arrest rate for violent offenses decreased by 7.8% over the same time period. Between 1991 and 2000, the number of juvenile arrests for the category "other

offenses" increased by 69.7%, while the juvenile arrest rate for these offenses increased by 62.3%. Juvenile property offense arrests decreased by 28.8%, while the juvenile property offense arrest rate decreased by 31.9%. Finally, status offense arrests increased by 2.0% while the status offense arrest rate decreased by 2.4%.

For a more detailed look at Wisconsin juvenile crime statistics, Appendices I, II and III show, respectively, the number of juvenile arrests by offense for the years 1991 through 2000, the juvenile arrest rate by offense over the same time period and total 2000 juvenile arrests by county.

An Overview of the Juvenile Justice Process in Wisconsin

Chapter 938, of the statutes, delineates jurisdiction concerning violations of state and federal criminal law, civil law, county, town or other municipal ordinances, as well as jurisdiction over juveniles alleged to be in need of protection and services. Depending on the nature of the juvenile's behavior, the public may be represented by a district attorney, a corporation counsel, a city, village or town attorney or by a person designated by a county board of supervisors. The procedural requirements, under Chapter 938, to address these various situations differ in some respects. However, the following discussion focuses on procedures relating to juveniles who are alleged to have violated state or federal criminal law and the responsibilities of the district attorney as the public's representative.

The juvenile court has exclusive jurisdiction over any juvenile 10 years of age or over who is alleged to have violated any state or federal criminal law, with the exception of youth who fall under the original jurisdiction of the adult court or who are waived into adult court, as described in the following section. Juvenile courts have concurrent

jurisdiction with municipal courts over juveniles age 12 or older who are alleged to have violated a county, town or municipal ordinance. There is no separate juvenile court system in Wisconsin. The circuit courts serve as juvenile courts and are referred to as juvenile courts when exercising their jurisdiction under Chapters 48 and 938. Under current law, juveniles under age 10 who commit a delinquent act are considered to be juveniles in need of protection or services and are not subject to delinquency proceedings. Proceedings for these juveniles are handled by the juvenile court under Chapter 938 of the statutes.

Under Chapter 938, a juvenile may be taken into custody when a law enforcement officer believes that the juvenile has committed an act in violation of a state or federal criminal law, that the juvenile is a runaway or that the juvenile has violated some other law or court order. The officer taking the juvenile into custody must immediately attempt to notify the juvenile's parent(s) or guardian and make every effort to release the juvenile, when appropriate, into that person's custody. A juvenile alleged to be delinquent may be referred to juvenile court intake by a law enforcement officer or others, including school officials or family members.

Intake Process

A juvenile court or the county department responsible for providing intake services must specify at least one intake worker to provide the services required by state law. Intake workers provide services 24 hours a day, seven days a week, for the purpose of screening juveniles taken into custody, unless the juvenile is otherwise released under certain circumstances specified by statute. The intake worker is responsible for: (a) determining whether and where a juvenile is to be held in temporary custody; (b) receiving referral information and conducting intake inquiries to determine how the case is to proceed; and (c) providing counseling and referral services and other functions to assist the court.

Temporary Custody

A juvenile may not be held in secure detention (generally, a county facility) unless first interviewed in person by an intake worker. If the intake worker is in a place distant from where the juvenile is being held or the hour is unreasonable, as defined by written court intake rules, the worker may authorize holding the juvenile in secure custody while the intake worker is en route to the in-person interview or until 8:00 a.m. of the day following the night on which the juvenile was taken into custody. However, this procedure is only allowed if the worker determines, based upon a telephone conversation with the law enforcement officer who took the child into custody, that the juvenile meets the statutory criteria for holding a juvenile in secure detention.

A juvenile may be held in temporary custody if the intake worker determines that there is probable cause to believe the juvenile is within the jurisdiction of the court and if probable cause exists to believe one of the following: (a) that if the juvenile is not held he or she will commit injury to the person or property of others; (b) that the parent, guardian or legal custodian of the juvenile or other responsible adult is neglecting, refusing, unable or unavailable to provide adequate supervision and care and that services to ensure the juvenile's safety and well-being are not available or would be inadequate; or (c) that the juvenile will run away or be taken away and be unavailable for proceedings of the court. Under these circumstances, a juvenile may be held in nonsecure custody (for example, the home of a parent or a foster or group home) or, under certain circumstances, in a secure detention facility, a county jail or a municipal lockup facility.

If a juvenile is not released, but placed into temporary custody, a hearing must be held by a judge or circuit court commissioner within 24 hours after the end of the day that the decision to hold the juvenile was made, excluding Saturdays,

Sundays and legal holidays. A parent not present at the hearing must be granted a rehearing upon request for good cause shown.

By the time of the hearing, a petition to initiate proceedings against the juvenile must be filed unless the juvenile is taken into custody for: (a) a failure to obey a summons; (b) a violation relating to court-ordered or aftercare supervision or the conditions relating to a continued or temporary custody order; or (c) being a runaway from another state or the subject of a warrant issued for the juvenile's apprehension in another state. A written statement of the reasons for holding a juvenile in custody must be provided if a petition is not filed. If no hearing has been held within 24 hours or if no petition or statement has been filed at the time of the hearing, the juvenile must be released.

However, if no petition has been filed at the time of the hearing, a juvenile may be held in custody with the approval of the judge or circuit court commissioner for an additional 48 hours from the time of the hearing, but only if the judge or circuit court commissioner determines that probable cause exists to believe that the juvenile is an imminent danger to himself or herself or to others, or that probable cause exists to believe that the parent, guardian or legal custodian of the juvenile or other responsible adult is neglecting, refusing, unable or unavailable to provide adequate supervision and care. The extension may be granted only once for any petition. If a petition is not filed within the 48-hour extension period, the judge or circuit court commissioner must order the juvenile's immediate release from custody.

Intake Inquiry

While some juveniles are held in temporary physical custody, many are quickly released to a parent or other responsible adult and their cases are subsequently reviewed by an intake worker. The intake worker makes recommendations as to what type of legal proceedings, if any, should be

pursued with respect to the juvenile. The intake worker must make his or her determination, based on an intake inquiry, in no more than 40 days after receiving the referral information. The purpose of the intake inquiry is to determine whether there is sufficient evidence to establish the jurisdiction of the juvenile court and to determine the best interests of the juvenile and the public with regard to any action to be taken. Three major courses of action are available to the intake worker: (1) dismiss the case; (2) enter into a deferred prosecution agreement with the juvenile; or (3) initiate formal delinquency proceedings.

The intake worker may dismiss the case without further proceedings if sufficient evidence does not exist to establish juvenile court jurisdiction. In this case, the intake worker must make a reasonable attempt to inform all of the known victims of the juvenile's act that the case is being closed. Notwithstanding the intake worker's decision, the district attorney still has the authority to initiate a delinquency petition within 20 days after notice that the case has been closed.

The intake worker may enter into a written deferred prosecution agreement with the involved parties if the intake worker determines that neither the interests of the juvenile nor of the public require filing a petition and the jurisdiction of the court, if sought, would exist. Before entering into a deferred prosecution agreement, the intake worker is required to offer all of the victims of the juvenile's alleged act, who have requested the opportunity, an opportunity to confer with the intake worker concerning the proposed deferred prosecution agreement (although victims do not have the authority to approve or disapprove the agreement). The agreement also requires the consent of the juvenile and his or her parent, guardian or legal custodian. A deferred prosecution agreement may not include any form of out-of-home placement and may not exceed one year. If a petition has been filed, a deferred prosecution agreement may not be entered into or

a case may not be closed unless the petition is withdrawn by the district attorney. The district attorney may also terminate a deferred prosecution agreement if he or she files a delinquency petition within 20 days of receipt of the notice concerning the agreement. In such a case, any statements made to the intake worker during the intake inquiry are inadmissible.

The obligations imposed under a deferred prosecution agreement and its effective date must be stated in writing. If the obligations imposed under the agreement are not being met, the intake worker may cancel the deferred prosecution agreement and, if cancelled, must request that a petition be filed. The juvenile and the juvenile's parent, guardian or custodian also have the right to terminate the deferred prosecution agreement at any time or to object to terms of the agreement. If an objection arises, the intake worker may alter the terms of the agreement. If the agreement is terminated by the juvenile or his or her parent, guardian or custodian, or an objection cannot be resolved, the intake worker may request that the district attorney file a petition. Again, the district attorney has 20 days to file the petition and any statements made to the intake worker during the intake inquiry are inadmissible.

If the obligations imposed under the deferred prosecution agreement are met, the intake worker informs the juvenile and a parent, guardian and legal custodian in writing, and no petition may be filed on the charges that brought about the deferred prosecution agreement.

A deferred prosecution agreement may provide for any one or more of the following actions: (a) individual, family or group counseling; (b) requirements to abide by such obligations as supervision, curfews and school attendance; (c) an alcohol and other drug abuse assessment; (d) participation in an alcohol and other drug abuse treatment programs; (e) restitution for damaged property or physical injury to another; (f)

participation in a supervised work program or other community service work; and (g) placement with a volunteers in probation program or a teen court program.

If, as a result of the intake inquiry, the intake worker determines that the juvenile should be referred to the court, the intake worker must request that the district attorney file a formal delinquency petition with the juvenile court. The district attorney has the authority to initiate a delinquency petition within 20 days after the request is made.

Delinquency Proceedings

A district attorney must file a delinquency petition, close the case or refer the case back to the intake worker or to the law enforcement agency for further investigation within 20 days of the filing of the intake worker's request for a petition or notice of a deferred prosecution agreement. If referred back for investigation, the intake worker or law enforcement agency must complete its investigation within 20 days. If the case is referred back to the intake worker with a decision to not file a petition, the intake worker must close the case or enter into a deferred prosecution agreement within 20 days. If a district attorney decides not to file a petition, he or she must make a reasonable attempt to inform all of the known victims of the juvenile's act that a petition will not be filed. Based on information from the Director of State Courts, approximately 17,100 juvenile petitions were filed in Wisconsin courts in 2001.

At any time after a petition is filed but before a determination is made at a fact-finding hearing, the juvenile court may suspend the proceedings and establish conditions applicable to the juvenile and the juvenile's family. If the juvenile, the juvenile's family and the person filing the petition agree to the conditions, they enter into a consent decree with the court.

The consent decree is a written court order, valid for up to one year, with a six-month extension possible. If the juvenile satisfactorily completes the period of supervision, the decree expires and the original delinquency petition is dismissed. If the juvenile breaks a condition of the consent decree, the court may take up the delinquency petition at the point where it left off and pursue an adjudication of delinquency and a formal disposition. Before entering into a consent decree, the district attorney is required to offer all of the victims of the juvenile's alleged act, who have requested the opportunity, an opportunity to confer with the district attorney concerning the proposed consent decree (although victims do not have the authority to approve or disapprove the consent decree). Victims also have the right to make a statement or provide a written statement to the court prior to the consent decree being entered into.

Hearings

If a delinquency petition is filed and no consent decree is ordered, three types of hearings are provided for the adjudication and disposition of the case: (a) a plea hearing; (b) a fact-finding hearing; and (c) a dispositional hearing. Throughout these proceedings, the district attorney has certain consultation and notification responsibilities in regard to victims.

Plea Hearing. A plea hearing must be held (within 30 days of the filing of a delinquency petition or within 10 days if the juvenile is in secure custody) to determine the juvenile's plea to the petition for delinquency. If the juvenile contests the petition, the court must schedule a fact-finding hearing. If the juvenile does not contest the petition, the court must schedule a dispositional hearing (within 30 days of the plea hearing or within 10 days if the juvenile is in secure custody).

Fact-finding Hearing. If the alleged delinquent

contests portions of the delinquency petition, the juvenile court must hold a fact-finding hearing (within 30 days of the plea hearing or within 20 days if the juvenile is in secure custody). The fact-finding hearing is to the court (that is, the juvenile does not have a right to a jury hearing). At the hearing, the prosecutor must prove beyond a reasonable doubt that the juvenile committed the offense(s) specified in the petition. At the conclusion of the hearing, the juvenile court makes findings of fact and conclusions of law relating to the petition. If the court finds that the juvenile is not within the jurisdiction of the court or finds that the facts alleged in the petition are not proved, the court must dismiss the petition with prejudice (that is, the petition may not be brought again).

If the court determines that the juvenile committed the offense(s) specified in the delinquency petition or the juvenile does not contest the petition, the juvenile is adjudicated delinquent. Being adjudicated delinquent is not the same as being convicted of a crime. Most of the civil disabilities which may be imposed on an adult convicted of a crime may not be imposed on a juvenile found delinquent. For example, a person who was adjudicated delinquent may not be prohibited from holding public office once he or she reaches the age of majority as a result of the past delinquency determination. However, juveniles who are adjudicated delinquent for an act that would have been a felony if committed by an adult are prohibited from possessing a firearm, unless a court subsequently determines that the person is not likely to act in a manner dangerous to public safety. Further, if the juvenile is adjudicated delinquent for sexual assault or certain crimes against children (and at the court's discretion for certain other offenses), the juvenile may be required to comply with the reporting requirements of the sex offender registration program, unless the court determines, under certain circumstances and after a hearing on a motion made by the juvenile, that the juvenile is not required to comply. If the court orders a juvenile to comply with the reporting

requirements, the court may order the juvenile to continue to comply with the requirements until his or her death.

Dispositional Hearing. Once a juvenile is adjudicated delinquent, the juvenile court must hold a dispositional hearing within 30 days of the fact-finding hearing or within 10 days if the juvenile is in secure detention. Victims also have the right to make a statement or provide a written statement to the court prior to the imposition of a disposition. At the dispositional hearing, on the request of any party, unless cause to the contrary is shown, the court may admit testimony on the record by telephone or live audiovisual means. At the conclusion of the hearing, the court must make a dispositional order.

Dispositional Orders

The court must issue a written dispositional order, detailing its findings of fact and conclusions of law based on the evidence presented at the fact-finding hearing. The dispositional order must list the specific services to be provided to the juvenile and the agencies responsible for the provision of those services. The order must also state the conditions with which the juvenile is required to comply. The adjudicated delinquent is given a disposition which outlines a plan of supervision, care and treatment. In deciding the disposition, the court must consider the seriousness of the act for which the juvenile is adjudicated delinquent and may consider any other delinquent act that is read into the record and dismissed at the time of the adjudication. The judge must select one or more dispositional alternatives to assure the care, treatment and rehabilitation of the delinquent, consistent with the protection of the public. Generally, dispositions may include a forfeiture, loss of driving privileges (for certain offenses), community supervision, community-based services and/or programming, electronic monitoring, orders of restitution, nonsecure placement outside the home, or placement in a secured correctional facility. (See Appendix IV for a list of dispositional

alternatives available to the juvenile court.)

The dispositional order must be in writing and contain: (a) the date of the expiration of the court's order; (b) a statement of the conditions with which the juvenile is required to comply; (c) the specific services or continuum of services to be provided to the juvenile and family; (d) the identity of the agencies which are to be primarily responsible for the provision of the services mandated by the court; (e) the identity of the person or agency who will provide case management or coordination of services, if any; and , (f) if custody is to be transferred to effect the treatment plan, the identity of the legal custodian.

If the juvenile is placed outside the home, the order must provide: (a) the name of the place or facility, including transitional placements, where the juvenile will be cared for or treated; (b) a designation of the amount of support, if any, to be paid by the juvenile's parent, guardian or trustee; (c) a permanency plan; and (d) a finding that continued placement of the juvenile in his or her home would be contrary to the welfare of the juvenile or, under certain conditions a finding that the juvenile's current residence will not safeguard the welfare of the juvenile or the community due to the serious nature of the act for which the juvenile was adjudicated delinquent.

Nine major types of out-of-home placements are available as dispositions. Listed in order from least restrictive to most restrictive, the out-of-home placement options available to the court are: (1) the home of a relative; (2) a non-relative's home not licensed for foster care for less than 30 days; (3) a licensed foster home; (4) a licensed treatment foster home; (5) a licensed group home providing residential care for five to eight juveniles; (6) a licensed child caring institution providing residential care and treatment for more than eight juveniles; (7) a secure detention facility or juvenile portion of a county jail for no more than 30 days, provided a county board resolution has been

passed authorizing use of the facility for dispositional purposes; (8) a Type 2 child caring institution under the supervision of the county department; or (9) a secured correctional facility or a secured child caring institution under the supervision of the state or a secured group home under the supervision of a county department.

Generally, a dispositional order made before the juvenile reaches 18 years of age, that places or continues the placement of the juvenile in his or her home, must terminate one year after its entry unless the court specifies a shorter period of time or the court terminates the order sooner. An order made before the juvenile reaches 18 years of age that places or continues the placement of the juvenile in a foster home, treatment foster home, group home, or residential care center for children and youth or in the home of a relative other than a parent terminates when any of the following occur: the juvenile reaches 18 years of age, one year after entry of the dispositional order, or, if the juvenile is a full-time student at a secondary school or its vocational or technical equivalent and is reasonably expected to complete the program before reaching 19 years of age, when the juvenile reaches 19 years of age, whichever is later, unless the court specifies a shorter period of time or the court terminates the order sooner.

An order involving placement of the juvenile in a Type 2 child caring institution or in a secured correctional facility, made before the juvenile reaches 18 years of age, may apply for up to two years after the order's entry or until the juvenile's 18th birthday, whichever is earlier, unless the court specifies a shorter period of time or the court terminates the order sooner. A serious juvenile offender disposition order, made before the juvenile reaches 18 years of age, applies for five years after its entry if the adjudicated act was equivalent to a Class B felony offense if committed by an adult (or Class B or C felony offence, effective February 1, 2003), or until the juvenile reaches 25 years of age, if the juvenile is

adjudicated delinquent for committing an act that would be punishable as a Class A felony offense if committed by an adult.

Extensions of and Revisions to Dispositional Orders

A parent or guardian, the juvenile, any agency bound by the order, the district attorney, corporation counsel or the court may request an extension of the original dispositional order, except that dispositional orders that placed a juvenile in detention, nonsecure custody or inpatient treatment may not be extended. The court must hold a hearing on the extension request at which the person or agency providing services to the juvenile provides a written evaluation of the juvenile's progress. Based on the evidence, the court may extend a dispositional order for a specified length of time.

With certain exceptions, an order that continues the placement of a juvenile in his or her home, or that extends an order relating to a Type 2 child caring institution, a secured correctional facility, the serious juvenile offender program or aftercare supervision must be for a specified length of time not to exceed one year after its date of entry. An order that continues the placement of a juvenile in a foster home, treatment foster home, group home, or residential care center for children and youth or in the home of a relative other than a parent shall be for a specified length of time not to exceed the date on which the juvenile reaches 18 years of age, one year after the date of entry of the order, or, if the juvenile is a full-time student at a secondary school or its vocational or technical equivalent and is reasonably expected to complete the program before reaching 19 years of age, the date on which the juvenile reaches 19 years of age, whichever is later. No extension of an original dispositional order relating to a Type 2 child caring institution, a secured correctional facility, the serious juvenile offender program or aftercare supervision may be granted for a juvenile who is 17 years of age or older when the original dispositional order

terminates.

A parent or guardian, the juvenile, any agency bound by the order, the district attorney, corporation counsel or the court may also request a revision of a dispositional order that does not involve a change in the juvenile's placement. A hearing regarding the requested revision is required unless all parties sign written waivers supporting the revision and the court approves the waivers.

A change in placement may be requested by the agency primarily responsible for implementing the order or the district attorney. A request for a change in placement requires that written notice be sent to the juvenile or the juvenile's legal counsel or guardian ad litem, and the parent, foster parent, treatment foster parent or other physical custodian, guardian and other legal custodian. The notice must describe the new placement and the reasons for the change. Any person receiving the notice may obtain a hearing on the matter by filing an objection with the court within ten days of receiving the notice.

The juvenile, the parent, guardian or legal custodian of the juvenile, or any person or agency primarily bound by the dispositional order may also request a change in placement. In addition, the court may propose a change in placement on its own motion. Such requests require a hearing on the matter if the request states that new information is available which affects the advisability of the current placement, unless the requested or proposed change in placement involves any change in placement other than a change in placement of a juvenile placed in the home to a placement outside the home and written waivers of objection to the proposed change in placement are signed by all parties entitled to receive notice and the court approves. If a hearing is scheduled, the court must notify the juvenile, the parent, guardian and legal custodian of the juvenile, any foster parent, treatment foster parent or other physical custodian of the juvenile and all parties who are bound by the

dispositional order at least three days prior to the hearing. If all the parties consent, the court may proceed immediately with the hearing.

No change in placement may extend the expiration date of the original order, except that if the change in placement is from a placement in the juvenile's home to a placement in a foster home, treatment foster home, group home, or residential care center for children and youth or in the home of a relative who is not a parent, the court may extend the expiration date of the original order. The extension may be to the date on which the juvenile reaches 18 years of age, the date one year after the date of the change in placement order, or, if the juvenile is a full-time student at a secondary school or its vocational or technical equivalent and is reasonably expected to complete the program before reaching 19 years of age, to the date on which the juvenile reaches 19 years of age, whichever is later, or for a shorter period of time as specified by the court.

If the change in placement is from a placement in a foster home, treatment foster home, group home, or residential care center for children and youth or in the home of a relative to a placement in the juvenile's home and if the expiration date of the original order is more than one year after the date of the change in placement order, the court is required to shorten the expiration date of the original order to the date that is one year after the date of the change in placement order or to an earlier date as specified by the court.

Juvenile Records

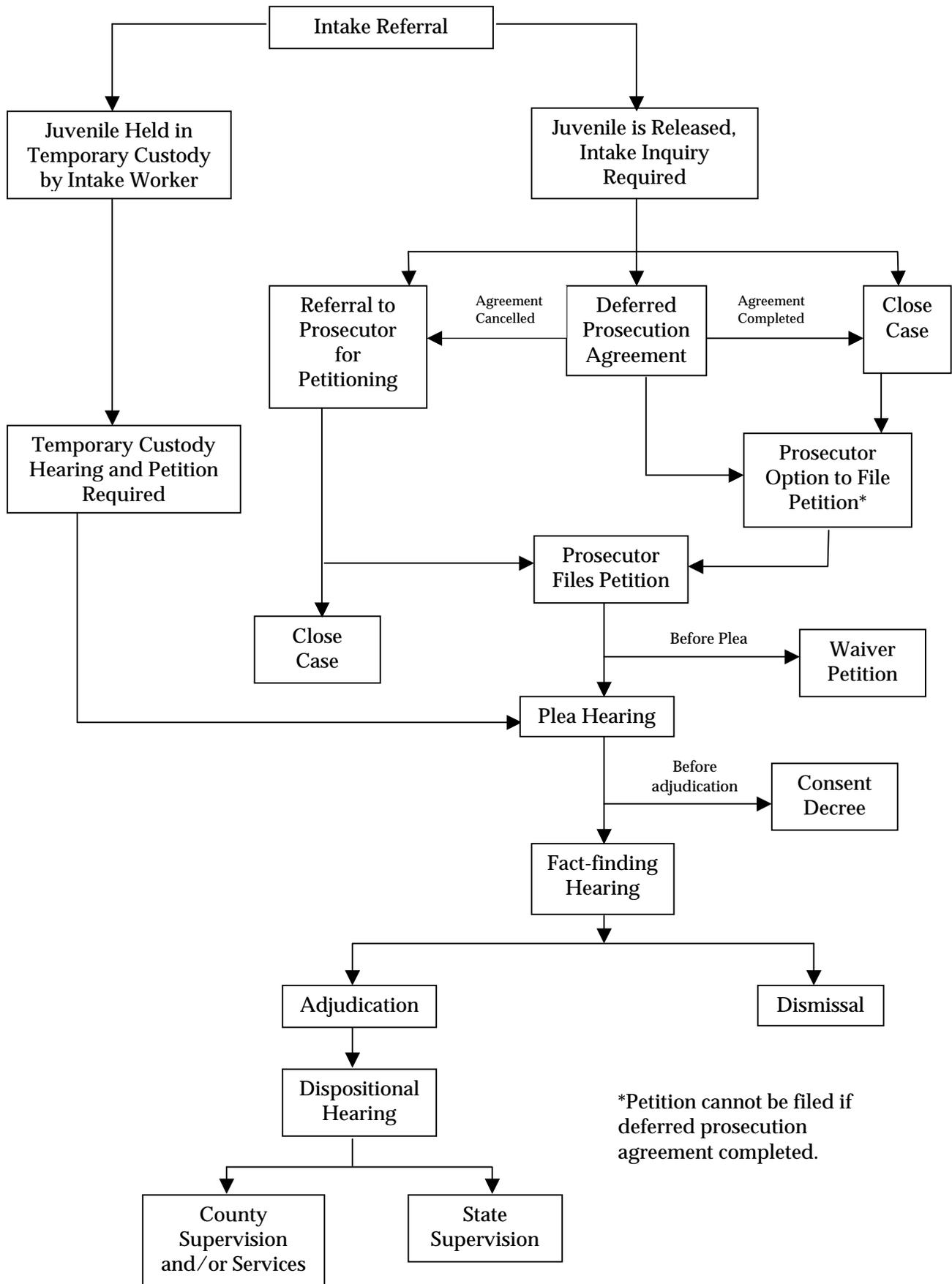
Juvenile court proceedings are typically not open to the general public; however, victims and any other person the court finds to have a proper interest in the case are specifically authorized to attend any hearing. In addition, police and court

records relating to juveniles are generally not open for inspection nor may their contents be disclosed except to certain requesters for limited purposes. For example, victim and witness coordinators may request and review police and court records and make that information available only as necessary to ensure that victims and witnesses of crimes receive the rights and services to which they are entitled by law. In addition, police records may be inspected by representatives of the news media who wish to obtain information for the purpose of reporting news without revealing the identity of the juvenile involved. Confidential exchange of information between the police and school officials or other law enforcement or social welfare agencies is also permitted under certain conditions.

Two major exceptions to the confidentiality of juvenile court hearings and records are provided for certain juvenile offenders. The court is required to allow the general public to attend hearings and to open for inspection by any requester the records of a juvenile who: (a) has been alleged to be delinquent for committing a violation that would subject the juvenile to a Serious Juvenile Offender disposition; or (b) has been alleged to be delinquent for committing any felony offense if the juvenile has been adjudicated delinquent at any time prior to the current proceeding and that previous adjudication remains unreversed. The requester receiving information under these provisions may further disclose the information to anyone. However, in neither of these cases is the court allowed to open hearings or allow the inspection of any records relating to physical, psychological, mental or developmental examinations of the juvenile, court reports relating to service planning for the juvenile or other records that deal with sensitive personal information of the juvenile and the juvenile's family.

Figure 4 provides an overview of the juvenile adjudication process from intake to disposition.

Figure 4: Adjudication Process Following Referral to Intake Worker



Original Adult Court Jurisdiction and Waiver to Adult Court

Current law provides for original adult court jurisdiction over certain juveniles, as well as discretionary waiver of other juveniles to adult court jurisdiction. Beginning July 1, 1996, a "juvenile," as applied here, pertains to those under the age of 17 years.

Original Jurisdiction of Adult Court

Adult criminal courts have original jurisdiction over juveniles under the following conditions:

a. If a juvenile is alleged to have attempted or committed first-degree intentional homicide or to have committed first-degree reckless homicide or second-degree intentional homicide on or after the juvenile's 10th birthday;

b. If a juvenile has been adjudicated delinquent and is alleged to have committed battery or assault while placed in a secured correctional facility, a secure detention facility, a secured child caring institution or a secured group home or against an aftercare agent or a probation, extended supervision and parole agent.

c. If a juvenile is alleged to have violated any state criminal law and has either been convicted of a previous violation in adult court (following waiver to adult court or under the original jurisdiction of the adult court) or has criminal proceedings pending in adult court (referred to as "once waived/always waived").

In addition, a juvenile specified in (a) or (b), who is alleged to have attempted or committed a violation of any state criminal law in addition to the violation alleged under (a) or (b), is under the adult court's jurisdiction for all of the alleged violations if

the violations can be charged in the same complaint ("joined").

If a preliminary examination (applicable to felony charges only) is held regarding a juvenile who is subject to the original jurisdiction of the adult court, the court is required to determine whether there is probable cause to believe that the juvenile has committed the violation of which he or she is accused. If the court does not make that finding, the court is required to discharge the juvenile from adult court; however, juvenile proceedings may still be brought.

If the adult court finds probable cause, it is required (except for certain 15- and 16-year-old juveniles, as noted below) to determine whether to retain jurisdiction or to transfer jurisdiction to the juvenile court (referred to as "reverse waiver"). The adult court must retain jurisdiction unless the juvenile proves by a preponderance of the evidence all of the following:

a. That, if convicted, the juvenile could not receive adequate treatment in the criminal justice system;

b. That transferring jurisdiction to the juvenile court would not depreciate the seriousness of the offense; and

c. That retaining jurisdiction is not necessary to deter the juvenile or other juveniles from committing such violations.

A juvenile who is alleged to have attempted or committed first-degree intentional homicide or to have committed first-degree reckless homicide or second-degree intentional homicide on or after his or her 15th birthday is not eligible for reverse waiver from the adult court to a juvenile court.

In adult court, the juvenile is subject to criminal court procedures and criminal penalties, except that the adult court may impose a disposition under the

juvenile justice code under certain conditions. With the exception of certain 15- and 16-year-old juveniles, the adult court must impose a juvenile disposition, in lieu of a criminal penalty, if either of the following conditions apply:

1. The adult court finds that the juvenile committed a lesser offense or a joined offense that is **not**: (a) an attempt to commit first-degree intentional homicide on or after the juvenile's 10th birthday, but before the juvenile's 15th birthday; (b) first-degree reckless homicide or second-degree intentional homicide on or after the juvenile's 10th birthday, but before the juvenile's 15th birthday; (c) battery or assault while placed in a secured correctional facility, a secure detention facility or a secured child caring institution or against an aftercare agent or a probation, extended supervision and parole agent; or (d) an offense for which the juvenile court may waive its jurisdiction over the juvenile; or

2. The adult court finds that the juvenile committed a lesser offense that **is** an offense specified in (a), (b), (c) or (d) in the above paragraph **and** the court determines, based on certain criteria, that the juvenile has proved by clear and convincing evidence that it would be in the best interests of the juvenile and of the public to impose a juvenile disposition under the juvenile justice code. The criteria used by the adult court in making this determination are identical to those used by the juvenile court in determining whether a juvenile should be waived to adult court. These criteria are described in the next section.

A separate statutory provision pertains to juveniles alleged to have attempted or committed first-degree intentional homicide or to have committed first-degree reckless homicide or second-degree intentional homicide on or after the juvenile's 15th birthday (including any additional crimes joined in the complaint). In these cases, if the juvenile is found to have committed a lesser offense that is not an offense specified in this paragraph, the

court must impose a juvenile disposition, in lieu of a criminal penalty, if the court determines, after considering the criteria for waiver to adult court, that the juvenile has proved by clear and convincing evidence that it would be in the best interests of the juvenile and of the public to impose a juvenile disposition.

Waiver To Adult Court

A district attorney or a juvenile may apply to the juvenile court to waive its jurisdiction in any of the following situations:

a. If the juvenile is alleged to have committed felony murder, second-degree reckless homicide, first- or second-degree sexual assault, taking hostages, kidnapping, armed robbery, armed burglary or the manufacture, distribution or delivery of a controlled substance on or after the juvenile's 14th birthday;

b. If the juvenile is alleged to have committed, on or after the juvenile's 14th birthday, a violation at the request of or for the benefit of a criminal gang, that would constitute a felony if committed by an adult; or

c. If the juvenile is alleged to have violated any state criminal law on or after the juvenile's 15th birthday.

The judge may also initiate a petition for waiver in any of these situations, if the judge disqualifies himself or herself from any future proceedings on the case.

The juvenile must be represented by counsel at the waiver hearing and the counsel must be provided access to the social records and other reports pertaining to the case. The juvenile has the right to present testimony on his or her own behalf, including expert testimony, and has the right to cross-examine witnesses at the hearing. The juvenile does not have the right to a jury at a waiver hearing.

If a petition for waiver of jurisdiction is contested, the court hears testimony and considers other relevant evidence. If uncontested, no testimony need be taken if the court determines that the decision not to contest the waiver of jurisdiction is knowingly, intelligently and voluntarily made. The court must base its decision whether to waive jurisdiction on criteria relating to: (a) the personality and prior record of the juvenile; (b) the type and seriousness of the offense; (c) the adequacy and suitability of facilities, services and procedures available for treatment of the juvenile and the protection of the public in the juvenile justice system; and (d) the desirability of trial and disposition of the entire offense in one court if the juvenile was allegedly associated in the offense with persons who will be charged with a crime in adult court.

After considering these criteria, the court must state its finding with respect to the criteria on the record. If the court determines that it is established by clear and convincing evidence that it would be contrary to the best interests of the juvenile or of the public to hear the case, the court enters an order waiving jurisdiction and referring the matter to the district attorney for appropriate proceedings in criminal court. If the waiver is granted, the district attorney may charge the offense he or she deems appropriate and a court or jury may convict the juvenile in regard to any offense. If the waived juvenile is being held in secure custody, he or she is transferred to an appropriate officer or adult facility and is eligible for bail.

In a preliminary examination in adult court for a waived juvenile, for a violation alleged to have occurred prior to his or her 15th birthday (a 14-year-old offender), the court may bind the juvenile over for trial only if there is probable cause to believe that felony murder, second-degree reckless homicide, first- or second-degree sexual assault, taking

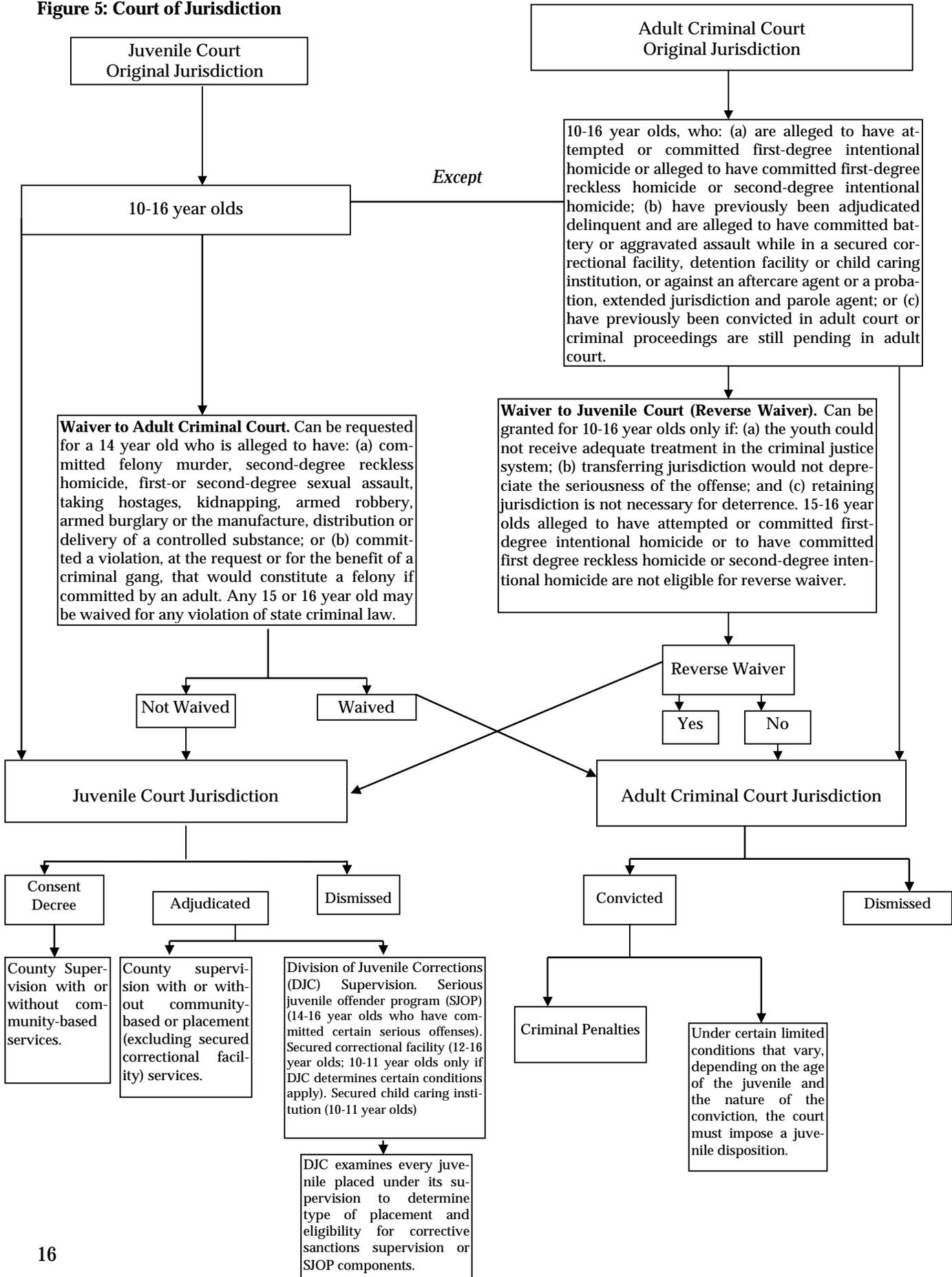
hostages, kidnapping, armed robbery, armed burglary, or the manufacture, distribution or delivery of a controlled substance has been committed or that a crime that would constitute a felony if committed by an adult has been committed at the request of or for the benefit of a criminal gang. If the court does not make that finding, the court is required to discharge the juvenile from adult court; however, juvenile proceedings may still be brought.

Correctional Placement for Juveniles Sentenced in Adult Court

If a juvenile who has not attained the age of 16 years is sentenced to a state prison, the Department of Corrections (DOC) must place the juvenile at a secured juvenile correctional facility or a secured child caring institution. While there are some inconsistencies in current law regarding the age at which a juvenile who has been convicted in adult court may be transferred to an adult prison, it appears that for a juvenile who has not attained the age of 16 years, DOC may determine that a prison placement is appropriate based on: (a) the juvenile's prior record of adjustment in a correctional setting, if any; (b) the juvenile's present and potential vocational and educational needs, interests and abilities; (c) the adequacy and suitability of available facilities; (d) the services and procedures available for treatment of the juvenile within the various institutions; (e) the protection of the public; and (f) any other considerations promulgated by the Department by rule. Current law does not preclude DOC from designating an adult correctional institution as a reception center for the juvenile and subsequently transferring the juvenile to a secured juvenile correctional facility or a secured child caring institution.

Figure 5 provides an outline of juvenile and adult criminal court jurisdiction for juveniles ages 10 or older.

Figure 5: Court of Jurisdiction



Secure Detention

State Law

Under current law, a county board, or two county boards jointly, may establish a secure detention facility for holding juveniles in secure custody. Secure detention may be used if the juvenile: (a) meets current law criteria for placing a juvenile in secure detention prior to disposition or trial, including a juvenile less than 15 years of age who is being held for criminal proceedings under original adult court jurisdiction; (b) is subject to a disposition that includes placement in secure detention; (c) is subject to short-term detention by a caseworker or other authorized person for an investigation relating to a violation of a condition of a dispositional order, including conditions relating to aftercare supervision or placement in an intensive supervision program; and (d) is subject to a secure detention sanction for a violation of a condition of a dispositional order, including conditions relating to aftercare supervision or placement in an intensive supervision program.

As of December, 2002, there are a total of 18 county-operated secure juvenile detention facilities approved by DOC, with a combined rated capacity of 607 beds. Counties may expand their existing secure juvenile detention bed capacity through the use of double-celling or dormitories pursuant to modifications of DOC 346, the administrative rule governing the requirements for secure juvenile detention facilities.

There are also several alternatives to the secure detention facilities operated by Wisconsin counties. First, a county board of supervisors may contract with DOC for the use of a state secured correctional facility for the secure detention of juveniles who meet certain criteria. A county may use a secured correctional facility for holding a juvenile only if any of the following criteria are met: (a) there is no

county-operated secure detention facility within 40 miles of the county seat of the county; or (b) there is no bed space available in a county-operated secure detention facility within 40 miles of the county seat of the county. The county may use a secured correctional facility for holding a juvenile only if DOC approves that use based on the availability of beds in the secured correctional facility and on the programming needs of the juvenile.

A county/DOC contract must specify: (a) the per person daily rate to be paid by the county for holding a juvenile; (b) the charges to be paid by the county for any extraordinary medical and dental expenses and any programming provided for the juvenile by DOC; and (c) any other matters that are necessary and appropriate concerning the obligations, responsibilities and rights of the contracting county and DOC. A juvenile held in custody under a county/DOC contract is under the supervision and control of DOC and is subject to the rules and discipline of the Department.

Second, one or more county boards of supervisors may contract with a privately operated secure detention facility for the secure detention of juveniles. A county board of supervisors may delegate the authority to contract with a private entity to its county department. A secure detention contract with a private entity requires the following: (a) that the facility meet or exceed the minimum requirements for the approval and operation of a secure detention facility established by DOC; (b) that the facility be approved by DOC; (c) that the facility provides educational programming, health care and other care that is equivalent to that which a juvenile would receive in a public secure detention facility; (d) the specification of the rates to be paid by the county for holding a juvenile in the facility and charges for any extraordinary medical and dental expenses and for any programming provided to a juvenile; (e) an agreement that the county retains jurisdiction over a juvenile held at the facility; (f)

an agreement that the facility is subject to inspection by DOC; and (g) a specification of any other matters that are necessary and appropriate concerning obligations, responsibilities and rights of the contracting counties and DOC. The statutory requirements and DOC rules for public secure detention facilities would also apply to private facilities.

Finally, a county board of supervisors may contract with one or more counties in Minnesota that operate a secure detention facility for holding juveniles. The same requirements for contracting with a privately-operated secure detention facility apply to contracting with a Minnesota county.

Federal Requirements

Federal law places strict limitations on holding juveniles in secure custody in certain types of facilities. The federal Juvenile Justice and Delinquency Prevention Act (JJDP) authorizes the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) to provide formula grants to states for juvenile justice and delinquency prevention programs.

In order to receive a formula grant, a state is required to submit a plan for carrying out the requirements of the JJDP, which include: (1) providing that no status offenders are placed in secure detention or secure correctional facilities, except for violations of valid court orders; (2) providing that no alleged or adjudicated delinquents are detained or confined in any institution in which they have contact with incarcerated adults; (3) reducing the overrepresentation in secure juvenile detention and correctional facilities of juveniles who are members of minority groups; and (4) providing that no juveniles are detained or confined in any adult jail or lockup. However, juveniles alleged to have committed a delinquent offense may be held in an approved juvenile portion of an adult jail or lockup for up to 24 hours outside a standard metropolitan statistical area (urban area). In addition, in

standard metropolitan statistical areas, a juvenile may be held in an approved juvenile portion of an adult jail or lockup for up to six hours (an administrative hold). Juveniles detained for longer periods must be held in secure juvenile detention facilities. The JJDP requirements do not apply to juveniles who have been waived into adult court for felony offenses.

Funding in 2002-03 for JJDP is \$1,247,000 FED. The Office of Justice Assistance (OJA) administers the program in Wisconsin and reports to OJJDP on the status of Wisconsin's compliance with the JJDP requirements. OJA indicates that approximately 76% of the formula grant funds received annually by Wisconsin under the JJDP are distributed to local governments for juvenile justice programs, including delinquency prevention and early intervention services, services for serious juvenile offenders and efforts to reduce the overrepresentation of minorities in secure juvenile facilities.

Wisconsin's Secured Correctional Facilities for Juveniles

The Division of Juvenile Corrections (DJC) in DOC is authorized to operate secured correctional facilities. Currently there are three facilities for males and one facility for females for juveniles adjudicated delinquent.

The three male facilities are the Ethan Allen School, located near the village of Wales in southeastern Wisconsin; the Lincoln Hills School, located near the town of Irma in north-central Wisconsin; and the Prairie du Chien facility in western Wisconsin (being operated temporarily as an adult prison until July, 1, 2003). An additional facility for males, the Youth Leadership Training Center (juvenile "boot camp"), was operated at Camp Douglas near Mauston until it was closed by the Department in March, 2002. In addition, an

adventure-based education program (SPRITE) for male juveniles in secure facilities utilizes an off-grounds facility in Oregon (Dane County).

The female facility, the Southern Oaks Girls School, is located in Union Grove in southeastern Wisconsin. Prior to October, 1994, juvenile girls were located at the Lincoln Hills School.

Finally, the Department of Health and Family Services (DHFS) operates a secured mental health unit for juveniles transferred from other secured correctional facilities. The Mendota Juvenile Treatment Center, located at the Mendota Mental Health Institute in Dane County, provides treatment to male juvenile offenders with complex emotional and behavioral problems. Following treatment, juveniles either are placed in the community or are returned to the facility that they came from. The Center has a capacity of 43 beds, but fewer beds are utilized due to declining juvenile populations placed at the facilities and budget constraints. In 2002-03, DOC is providing \$3,073,600 [\$1,379,300 general purpose revenue (GPR) and \$1,694,300 program revenue (PR)] to DHFS as reimbursement for the costs of the facility's operation.

Excluding the Prairie du Chien facility, base funding in 2002-03 totals \$206.8 million for the state costs of the juvenile justice system, of which approximately \$88.3 million is provided to counties for community youth and family aids, known as "youth aids". (Youth aids are discussed in a separate section of this paper.) Of the remaining \$118.5 million, \$57.7 million is allocated to the operation of the state's secured juvenile correctional facilities.

Table 1 shows the base funding (PR) and positions allocated to each DOC juvenile facility in 2002-03, the funding allocated to DHFS (all funds) for mental health treatment, and the actual average daily population for each facility in 2001-02.

The courts have two dispositional options that

Table 1: Secured Juvenile Facilities

Facility	2002-03 Adjusted Base		2001-02
	Funding	Positions	Actual ADP
Ethan Allen School	\$23,231,000	392	404
Lincoln Hills School	19,380,500	308	332
Boys Boot Camp	2,615,200	48	10
SPRITE	598,400	10	3
Southern Oaks Girls School	<u>8,841,900</u>	<u>149</u>	<u>87</u>
Subtotal*	\$54,667,000	906	836
Mendota Juvenile Treatment Center	\$3,073,600		33
Total	\$57,740,600		869

* Subtotal does not include \$9,493,500 in base funding and 160.00 authorized positions for the Prairie du Chien facility, currently operated as an adult prison.

result in a juvenile being placed in a secured correctional facility: (a) a direct secured correctional placement; and (b) the disposition of the juvenile as a serious juvenile offender.

Secured Correctional Placement

A court may place any adjudicated juvenile in a secured correctional facility if the juvenile is 12 years of age or over. If the juvenile is under 12 years of age, he or she may be placed in a secured child caring institution or in a secured group home. However, in some cases a placement in a secured correctional facility is permissible, if the following conditions are met: (a) DOC determines, following an examination of the juvenile, that placement in a secured correctional facility is more appropriate; (b) the juvenile was found delinquent for the commission of an act which, if committed by an adult, would be punishable by a sentence of six months or more; and (c) the juvenile was found to be a danger to the public and to be in need of restrictive custodial treatment.

If the court has determined that a juvenile is not appropriate for placement in the Serious Juvenile Offender Program, the following conditions provide sufficient evidence for a finding that the juvenile is a danger to the public and in need of restrictive

custodial treatment: (a) the juvenile has committed any one of various violent acts that would be a felony if committed by an adult; (b) the juvenile possessed, used or threatened to use a firearm while committing a delinquent act that would be a felony if committed by an adult; or (c) the juvenile illegally possessed or went armed with a dangerous weapon.

Serious Juvenile Offender (SJO) Program

Certain juveniles who have committed offenses equivalent to Class A and B felonies are subject to disposition under the SJO program. This disposition provides an array of component phases, including both secured correctional facility and community

placements, through which the juvenile may pass. The initial placement is in a secured juvenile correctional facility. This program is described later in this paper.

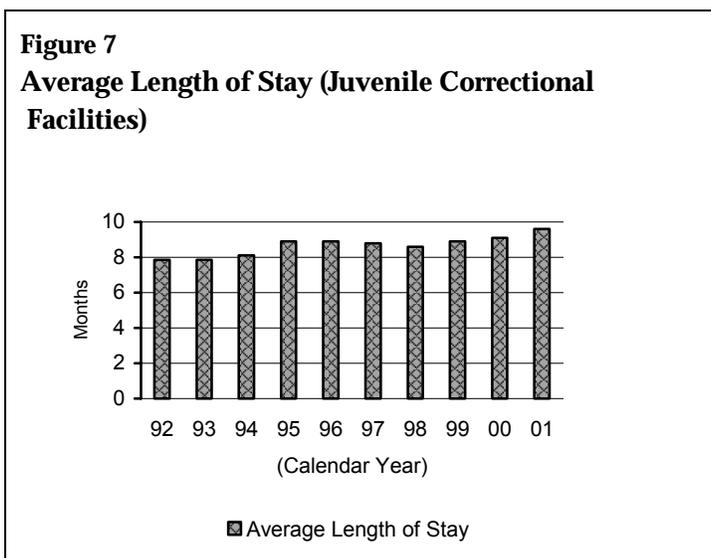
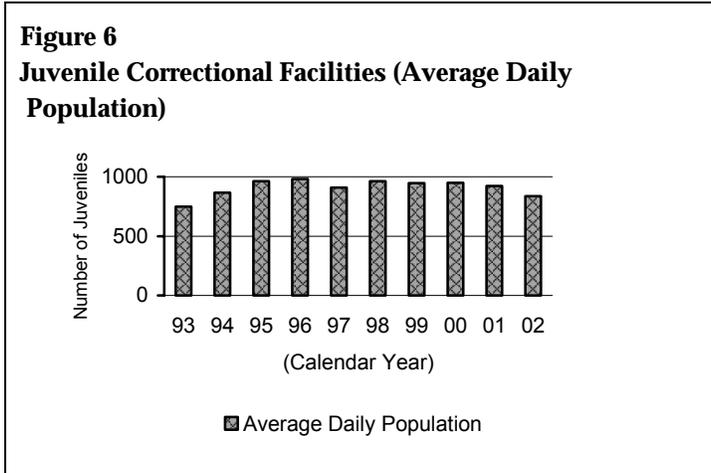
Institutional Demographic Data

The most recent demographic analysis available from the Department is for juveniles placed at secured correctional facilities in 2001. During 2001, juveniles ranged from 12 years of age to over 20 years of age (due to extended juvenile court jurisdiction). The 2001 data indicates that the average age of juveniles admitted to the institutions was 15.9 years for males and 15.5 years for females. The majority of juveniles committed to the facilities came from the populous counties of southeastern and southern Wisconsin, with 51% of male juvenile offenders and 28% of female juvenile offenders coming from Milwaukee County. Minority juveniles comprised 58% of the male institutional population and 51% of the female population admitted in 2001.

Average Daily Population (ADP) Statistics

As of December 13, 2002, 823 juveniles (747 males and 76 females) resided at the secured correctional facilities. The number of juveniles placed at the institutions has been declining in the last two years. The average daily population (ADP) for all institutions was 948 in 2000, 923 in 2001 and is estimated at 837 in 2002. The average daily population data for calendar years 1986 through 2002 are provided in Appendix V of this paper. This data is also depicted as a bar chart in Figure 6 for the last ten years. Average daily populations at the institutions rose steadily from 1991 through 1996. Populations in 1997 declined by 7.3% from the 1996 total and increased again in 1998, by 5.8%. From 1998 to 2002 (estimated), the ADP has declined by 13%.

Figure 7 shows the average length of stay for delinquents placed at the secured juvenile



correctional facilities (Ethan Allen School, Lincoln Hills School and Southern Oaks Girls School) for calendar years 1992 through 2001. After remaining fairly constant between 1990 and 1994, the average length of stay increased from 8.1 months in 1994, to 8.9 months in 1995 and 1996. In the following two years, the average declined to 8.8 in 1997 and to 8.6 in 1998. The average returned to 8.9 months in 1999 and increased to 9.1 months in 2000 and to 9.6 months in 2001. Changes in the average length of stay over time are affected by a variety of factors, including: (a) the number, types and effectiveness of treatment and rehabilitation programs; (b) the degree to which institutional population exceeds or under-utilizes the capacity of available facilities; (c) the nature of the delinquent acts committed by juveniles and the dispositions that result; and (d) the capacity of aftercare services available at any given time.

Reception and Programming at the Institutions

Ethan Allen School and Lincoln Hills School each operate a reception cottage where juveniles are placed for approximately 30 days for assessment upon their arrival at the institution. Similarly, there is a six-bed, reception and assessment unit at Southern Oaks Girls School where staff assess each girl's needs and develop individual treatment plans. Thereafter, juveniles are placed in one of the cottages or units most suited to their treatment needs. Some cottages specialize in a treatment area such as alcohol and other drug abuse, mental health or sex offender treatment. Each of the juvenile correctional facilities also operates a security unit where juveniles are placed temporarily as a consequence of serious disciplinary violations or other behavioral problems.

Educational Programming

Juveniles under the age of 18 at secured facilities are required to participate in an educational program for the same number of days and hours as required of students attending public schools. Ethan Allen School has teachers assigned generally to the

facility, while Lincoln Hills School assigns teachers to specific living units. Southern Oaks Girls School has two teams of teachers responsible for different living units. Coursework generally includes academic subjects and vocational training. High School Equivalency Diploma (HSED) services are also available.

In a March, 1998, survey, based on an examination of files of juveniles placed at the facilities, DOC found that: (a) most juveniles were two to four years behind expected grade levels for reading and mathematics; (b) 40% of the juveniles had limited or no proficiency in written or spoken English (at least four grade levels behind); (c) most juveniles had earned few or no high school credits; and (d) most juveniles had been absent or truant from school for significant periods of time prior to their disposition. The survey also found that 50% of these juveniles had exceptional educational needs (compared to 12% in regular public schools), requiring a variety of specialized services. Due to these various needs and the requirements of state and federal education law, DOC reports that it maintains a ratio of about one educational staff position to five students. Approximately 80% of the educational staff are teachers and the balance are administrative and support specialist positions.

In addition to academic education, the facilities also require juveniles to participate in some type of vocational training appropriate to each juvenile's age, developmental level and treatment plan. Areas of training include office and business skills, communication arts, skilled crafts and service industry skills.

Planning and Release Decisions

Once a delinquent is placed at one of the juvenile correctional institutions, the Office of Juvenile Offender Review (OJOR) in DJC is authorized to make all placement decisions with respect to the delinquent, including release from secure custody. Consistent with Chapter 938, OJOR decisions are made with the goal of placing juveniles in the least

restrictive setting consistent with their needs and the protection of the public.

The Joint Planning and Review Committee (JPRC) makes planning and placement recommendations with respect to each delinquent. The JPRC consists of a representative of the juvenile correctional facility, a representative of the county that committed the juvenile or an aftercare agent, or both, and an OJOR representative. The JPRC reviews the assessment of the juvenile conducted in the reception cottage at the institution as well as court records and other information obtained from the county committing the juvenile. The JPRC then recommends program objectives and makes a placement recommendation for the juvenile. The JPRC may recommend placement in a particular cottage or placement outside the institution in an alternate care facility such as a child caring institution, a group home or a foster home or in the juvenile's own home. If the JPRC does not reach a consensus, final decision-making authority with respect to the juvenile's placement is delegated to OJOR. OJOR decisions may be appealed to the DJC division administrator. A juvenile who remains at the juvenile correctional facility generally is reviewed by OJOR every 90 days to: (a) assess the juvenile's progress towards fulfilling treatment goals and release from the institution; and (b) recommend placement or program changes, if necessary.

Aftercare Supervision

Dispositional orders cover the entire time a juvenile is under supervision, including the time spent in a secured correctional facility and a period of time following the juvenile's return to the community. Juveniles adjudicated delinquent are generally released from the secured facility with time remaining on their dispositional orders so that they may be placed on "aftercare supervision."

Following release from a secured correctional facility, a juvenile is usually returned to his or her

family or to an alternate care facility such as a child caring institution, group home or foster home. Aftercare supervision is provided to monitor juveniles following their release from secure care to ensure school attendance, participation in treatment programs and compliance with other conditions of the juvenile's release. Counties may provide their own aftercare supervision or purchase these services from the state. Currently, the state is the designated aftercare provider for 25 counties. The average daily population in state-provided aftercare was 249.5 juveniles in 2001-02.

An aftercare plan for a juvenile placed in a secured correctional facility or a secured child caring institution must be prepared, within certain time limits, by the aftercare provider (DOC or the county). An aftercare plan must include all of the following: (a) the minimum number of supervisory contacts per week; (b) the conditions, if any, under which the juvenile's aftercare status may be revoked; (c) the services or programming to be provided to the juvenile while on aftercare; and (d) the estimated length of time that aftercare supervision and services will be provided to the juvenile. A juvenile may, however, be released from a secured correctional facility or a secured child caring institution whether or not an aftercare plan has been prepared.

Subject to certain written policies, if a juvenile who is on aftercare supervision administered by the county department violates a condition of that supervision, the juvenile's aftercare caseworker or any other authorized person may, without a hearing, take the juvenile into custody and place the juvenile in a secure detention facility, the juvenile portion of a county jail or in a place of nonsecure custody for not more than 72 hours while the alleged violation and the appropriateness of revoking the juvenile's aftercare status are being investigated. This provision only applies if, before the violation, the juvenile has acknowledged in writing that he or she has read (or has had read to him or her) and understands those conditions.

Type 2 Institutional Status

Type 2 institutional status is available to both DOC, as a condition of aftercare, and to the juvenile court, as a dispositional option. When given "Type 2" institutional status by DOC or the court, a juvenile is allowed to serve all or part of his or her dispositional period in a less restrictive community placement, rather than in a "Type 1" secured correctional facility. The juvenile in a Type 2 placement continues to legally be on institutional status and may be administratively transferred to different placements, including more restrictive placements.

A Type 2 administrative transfer does not require a hearing. This provides the Department with an alternative to releasing a juvenile to aftercare with the right to a hearing in the event of future changes in placement. Thus, a juvenile with Type 2 status who violates a condition of his or her placement in a Type 2 facility may be returned to a secured correctional facility without an administrative revocation hearing.

At the discretion of the court, a juvenile may be given a disposition that places the juvenile in a Type 2 child caring institution under the supervision of the county and subject to Type 2 status, if all of the following apply: (a) the juvenile has been found to be delinquent for an act that would be punishable by a sentence of six months or more, if committed by an adult; and (b) the juvenile has been found to be a danger to the public and to be in need of restrictive custodial treatment. This disposition provides the court with an alternative to placement in a secured correctional facility for appropriate juveniles. It also provides the counties with the ability to administratively transfer a juvenile who violates a condition of his or her placement in the Type 2 child caring institution to a secured correctional facility, without a hearing, for not more than ten days.

DOC may contract with a child welfare agency

to operate a Type 2 facility in the community. As of December, 2002, there are 14 licensed child welfare agencies authorized to operate 17 designated Type 2 facilities. The concept of Type 2 status is also used for other departmental programs. Juveniles placed by DOC in the Corrective Sanctions Program (described later in this paper) are under Type 2 status when placed in the community, as well as juveniles placed in the Serious Juvenile Offender Program (next section).

As of December 20, 2002, 346 juveniles were placed in a Type 2 facility or assigned to another community placement under Type 2 status.

Serious Juvenile Offender Program

The Serious Juvenile Offender (SJO) program was created under 1995 Wisconsin Act 27, the 1995-97 biennial budget act. A juvenile is subject to an SJO placement for certain acts committed on or after July 1, 1996, as follows: (a) if the juvenile is 14 years of age or more and has been adjudicated delinquent for committing a delinquent act that is equivalent to a Class A or B felony; or (b) the juvenile is 10 years of age or more and has been adjudicated delinquent for attempting or committing first-degree intentional homicide or for committing first-degree reckless homicide or second-degree intentional homicide. An SJO disposition may only be made for these juveniles if the judge finds that the only other disposition that would be appropriate is placement in a secured correctional facility.

For a juvenile receiving a disposition as a Serious Juvenile Offender, the court is required to make the order apply for a period of five years if the adjudicated act was a Class B felony offense, or until the juvenile reaches 25 years of age if the adjudicated act was a Class A felony offense. The disposition includes the concept of Type 2 status, which allows the Department to administratively transfer a juvenile through an array of component

phases, including both secured correctional facility and community placements.

All components of the SJO disposition, described below, are state funded; counties have no financial responsibility for a juvenile placed in the SJO program. Prior to July 1, 1996, the state was required to fund the correctional costs of: (a) violent juvenile offenders who committed one of six violent felony offenses; and (b) persons over the age of 19 who had committed one of four violent felony offenses and were placed in either a juvenile correctional institution or a prison under the extended jurisdiction of the juvenile court. Beginning July 1, 1996, the SJO program assumed the placement costs associated with these violent and extended jurisdiction juveniles.

To summarize, the SJO program is funded under a separate appropriation (with 2002-03 funding of \$17.0 million) and is authorized to pay the costs of: (a) the care of juveniles, including aftercare services, who have been adjudicated as serious juvenile offenders; (b) the care of juveniles waived into adult court and sentenced to state prison, but placed by DOC at a secured juvenile correctional facility or a secured child caring institution; (c) correctional or aftercare services for juveniles adjudicated as violent juvenile offenders for certain offenses committed prior to July 1, 1996; and (d) correctional or aftercare services for juveniles under extended jurisdiction orders prior to July 1, 1996. Counties are required to pay the costs of all other adjudicated juveniles.

Under the SJO program, a juvenile is subject to supervision, care and rehabilitation that is more restrictive than ordinary supervision in the community. The program provides for component phases (various sanctions) that are intensive, highly structured and based on both public safety considerations and the participant's needs. The Department of Corrections determines that one or more component phases are provided to each juvenile in the program. The Department is authorized to contract with the Department of Health and Family Services, a county department or

any public or private agency for the purchase of goods, care and services for SJO participants. The available component phases include the following:

- Placement in a secured correctional facility or a secured child caring institution for a period of not more than three years (except that, if the juvenile committed a Class A felony offense, he or she is subject to a mandatory minimum period of confinement of not less than one year and no maximum period of confinement, within the duration of the order).
- Placement in alternate care, including placement in a foster home, treatment foster home, group home, child caring institution or secured child caring institution.
- Intensive or other field supervision, including corrective sanctions supervision or aftercare supervision.
- Electronic monitoring.
- Substance abuse outpatient treatment and services.
- Mental health treatment and services.
- Community service.
- Restitution.
- Transitional services for education and employment.
- Other programs as prescribed by DOC.

Prior to July 3, 1998, Wisconsin law provided that an SJO participant, if the participant was 17 years of age or over, could be placed in an adult prison as a component phase of the SJO program. In addition, DOC had statutory authority to transfer a juvenile to the Racine Youthful Offender Correctional Facility, an adult prison, if the juvenile was 15 years of age or more and the Office of

Juvenile Offender Review determined that the conduct of the juvenile in a secured correctional facility presented a serious problem to the juvenile or others. Under a July 3, 1998, Wisconsin Supreme Court decision, these provisions were held to violate Article I, s. 7 of the Wisconsin Constitution and the 6th and 14th Amendments of the U. S. Constitution, and are severed from the statutes (*State of Wisconsin v. Hezzie R.*). The Court found that the placement of juveniles in an adult prison, based on a juvenile adjudication process that does not allow for a jury trial, was unconstitutional.

The Department may provide the sanctions listed above in any order, provide more than one sanction at a time and return to a sanction that was used previously for a participant. A participant is not entitled to a hearing regarding the Department's exercise of authority regarding the selected sanctions unless a hearing is required by rule. (The community placement components under SJO are classified as Type 2 secured correctional placements, which allows DOC to provide less restrictive placements while keeping the juvenile in a custodial status that allows for a return to a more restrictive placement, without a hearing, if the conditions of the placement are violated by the juvenile.)

A juvenile under the SJO program always begins his or her placement in a secured correctional facility. The Office of Juvenile Offender Review has the authority to release a participant to aftercare supervision at any time after the participant has completed two years of participation in the SJO program. Aftercare supervision under SJO is provided by DOC at state expense. The Department may discharge a participant from the program and from DOC supervision and control at any time after the participant has completed three years of participation in the program.

Other Placement Alternatives Operated by the State

Several alternative programs for juveniles placed at secured correctional facilities are available under current law, including the juvenile corrective sanctions program, the juvenile boot camp program and the SPRITE program.

Juvenile Corrective Sanctions Program

Under current law, DOC is required to provide a Corrective Sanctions Program to serve an average daily population of 136 juveniles (or more, if additional funding and positions are provided by the Joint Committee on Finance or otherwise become available) in not less than three counties, including Milwaukee County. The Office of Juvenile Offender Review evaluates and selects juveniles for the program who have been placed in a secured correctional facility. Under the program, a juvenile is placed in the community and provided with intensive surveillance. In addition, an average of not more than \$3,000 annually is provided to purchase community-based treatment services for each corrective sanctions slot. Base funding for the Corrective Sanctions Program in 2002-03 is \$4.1 million, with 54.71 positions allocated to the program. Any county may request corrective sanctions services and, in October, 2002, 20 counties were being billed for corrective sanctions services.

The intensive surveillance component of the program must be available 24 hours a day, seven days a week and DOC may provide electronic monitoring of program participants. Corrective sanctions caseloads are specified by statute. A contact worker providing services under the program has a caseload of approximately ten juveniles and, during the initial phase of placement in the community, the contact worker must have at least one face-to-face contact per day with the juvenile. Case management services are provided by a corrective sanctions agent, who has a caseload of

approximately 15 juveniles. The Department must also provide a report center in Milwaukee County to provide on-site programming after school and in the evening for juveniles from Milwaukee County who are placed in the corrective sanctions program. The center also houses an alternative school operated by the Milwaukee Public School District providing educational programming to 12 to 15 juveniles.

A participant in the program remains under the supervision of DOC (Type 2 status). If a juvenile violates a condition of the program, DOC may, without a hearing, take the juvenile into custody and place the juvenile in a secured detention facility or return the juvenile to a secured correctional facility or a secured child caring institution.

Boot Camp Program

Under current law, the Department of Corrections is required to provide a boot camp program for juveniles who have been placed under the supervision of the Department in secured correctional facilities. A boot camp (the Youth Leadership Training Center) was located at Camp Douglas in Juneau County until its closure in March, 2002. The Department indicates that the facility was closed due to declining populations at secured correctional facilities, declining program enrollment, and the high cost of operating the program. The program was designed to provide military academy-style training over 18 weeks with components on military drill and ceremonies, education, vocational training, treatment, adventure activities and community services. Following the closure of the Camp Douglas facility, a scaled-down version of the boot camp program has been continued on the grounds of the Lincoln Hills School.

The boot camp at Camp Douglas had a capacity of 48 juveniles, but the average daily population for the camp in 2001-02, prior to its closing, was only 15.5 juveniles. Following its startup, the boot camp program at the Lincoln Hills School generally served 30-35 juveniles per month in 2002. The adjusted base funding in 2002-03 for the program is

\$2.5 million PR and 48.0 PR positions (based on the Camp Douglas operation). The program revenue is derived from a daily rate charged to counties or the state for the care of juveniles in secured correctional facilities.

SPRITE

Male juveniles placed in secured correctional facilities may also participate in SPRITE (Support, Pride, Respect, Initiative, Teamwork, Education), a 28-day intensive, adventure-based education program held off-grounds (Oregon, Wisconsin). The program is designed to teach juveniles problem solving, independent living skills and responsibility through wilderness expeditions, rock climbing, problem-solving exercises, urban exploration and community service. The program can serve 12 juveniles per month. The program also accepts juveniles directly from counties.

Girls at the Southern Oaks Girls School participate in a separate program, supervised by SPRITE staff, that currently operates one or two, eight-day sessions annually.

Recidivism of Juvenile Offenders

The effectiveness of correctional programs is often measured by examining recidivism rates. Although there are many ways to measure recidivism, reduction in the frequency and severity of offenses committed by juveniles following release is an important measure of program effectiveness. DOC, which assumed the administration of juvenile correctional services on July 1, 1996, published its first and most recent report on juvenile recidivism in March, 2000. The Department analyzed recidivism (defined as the return to a state juvenile secured correctional facility or an adult prison) among juveniles released for the first time over a three-year period: (a) 892 juveniles released from institutions in 1993; (b) 784 juveniles released in 1994; and (c) 779

Table 2: Department of Corrections Recidivism Study -- Two-Year Follow-Up

	1993	1994	1995	Total
Juveniles Released	892	784	779	2,455
Juveniles Not Recidivating	610	553	550	1,713
Percent of juveniles released	68.4%	70.5%	70.6%	69.8%
Juveniles Recidivating				
JCI for new offense	150	122	77	349
Adult prison for probation violation	37	27	37	101
Adult prison for new offense	95	82	115	292
Total Juveniles Recidivating	282	231	229	742
Percent of juveniles released	31.6%	29.5%	29.4%	30.2%
<hr/>				
	1993	1994	1995	Ave.
Average number of days in community before:				
Return to a JCI	194	200	207	200
Return to an adult prison	476	459	436	457

juveniles released in 1995. The Department's report provides a two-year follow-up on released offenders in all three years and a four-year follow-up on offenders released in 1993.

Two-Year Follow-Up

The results of the two-year follow-up for 1993, 1994 and 1995 are summarized in Table 2. Recidivism rates declined from 31.6% of juveniles released in 1993 to 29.4% of those released in 1995. [A similar study, published in May, 1996 by the Office of Policy and Budget in the Department of Health and Social Services (now the Department of Health and Family Services) showed that the two-year recidivism rate for juvenile offenders released in 1992 was 42.4%.]

The factors associated with higher recidivism vary somewhat between the three years. In 1993, higher recidivism was associated with gender (males were significantly more likely to recidivate within two years), education level at admission (juveniles who had not completed ninth grade more

likely to recidivate) and age at admission (juveniles under age 16 were more likely to recidivate). In 1994, gender and race (males and minority juveniles were more likely to recidivate) were the most significant factors associated with recidivism. In 1995, the most significant factors included gender (males were more likely to recidivate), county of residence (Milwaukee County juveniles were more likely to recidivate), number of prior adjudications (juveniles with more adjudications prior to admission were more likely to recidivate) and type of release supervision (juveniles held for the duration of their commitment and released directly to the community without supervision were more likely to recidivate).

Four-Year Follow-Up

Of the 892 juveniles released in 1993:

- 465 (52.1%) of the juveniles did not recidivate within the four-year period; while
- 427 (47.9%) juveniles were reinstitutionalized within four years. [Note: in the 1996 report referred to above, the four-year recidivism rate for juveniles released in 1990 was 56.3%.]

Of the 427 recidivists:

- 156 (36.5%) were returned to a juvenile institution for a new offense; and
- 271 (63.5%) were sentenced to an adult prison.

The only significant factor associated with higher recidivism in the four-year follow-up was gender (again, males were more likely to recidivate).

Youth Aids

Under current law, counties are financially responsible for the costs of juvenile delinquency-related services, except for: (a) the care of a juvenile who has been adjudicated as a serious juvenile offender; (b) juveniles under the original jurisdiction of or waived into adult court and sentenced to state prison, but placed by DOC at a juvenile facility; (c) correctional or aftercare services for juveniles adjudicated as violent juvenile offenders for certain offenses committed prior to July 1, 1996; and (d) juveniles under extended jurisdiction orders prior to July 1, 1996, who receive juvenile services.

The community youth and family aids program (youth aids) provides each county with an annual allocation of state and federal funds from which a county may pay for juvenile delinquency-related services, including out-of-home placements and non-residential, community-based services for juveniles. Counties may supplement their expenditures on juvenile delinquency-related services with funding from other sources, including community aids, other state aids to counties, county tax revenues and special grant monies.

The state bills each county for the cost of its juveniles placed in the state's secured correctional facilities (with the exceptions noted above) and for subsequent community placements and programming for juveniles returning to the community following placement in a secured correctional facility. Charges are based on statutory daily rates established under each biennial budget. Daily rates for a given year are calculated by dividing the total budget for each type of care by the projected number of juveniles expected to receive that type of care in a year, divided by 365 days. Table 3 shows the statutory daily rates for the period July 1, 2002, through June 30, 2003. Based on the statutory rate, a one-year secured correctional facility placement

would cost \$63,000.

Table 4 summarizes the youth aids funding levels established under current law for the 2001-03 biennium. As shown in Table 4, current law provides a total of \$87,230,400 (\$84,781,200 GPR and \$2,449,200 PR) in 2001-02 and \$88,290,200 (\$85,841,000 GPR and \$2,449,200 PR) in 2002-03 in youth aids funding for counties. The program revenue funding comes from federal funds received by the Department of Health and Family Services (DHFS) and transferred to DOC for out-of-home care for certain eligible juveniles. Funding increased from the 2000-01 funding level by 1.2% in 2001-02 and 2.4% in 2002-03. The increases, provided in the 2001-03 biennial budget act (2001 Wisconsin Act 16), totaled \$1.0 million in 2001-02 and \$2.1 million in

Table 3: Statutory Daily Rates, July 1, 2002 - June 30, 2003

	Amount
Secured Correctional Facilities*	\$172.51
Residential Care Center	226.00
Group Homes	135.00
Corrective Sanctions	84.50
Treatment Foster Homes	85.00
Regular Foster Homes	43.00
Aftercare Supervision	22.66

*Includes transfers to the Mendota Juvenile Treatment Center.

Table 4: Total Youth Aids Funding

By Fiscal Year	2000-01	Current Law	
		2001-02	2002-03
Base Allocations	\$79,808,900	\$83,808,900	\$83,808,900
Legislated Increases	4,000,000	1,046,700	2,106,500
Corrective Sanctions	2,124,800	2,124,800	2,124,800
Emergency Funds	<u>250,000</u>	<u>250,000</u>	<u>250,000</u>
Total All Funds	\$86,183,700	\$87,230,400	\$88,290,200
Change Compared to 2000-01		\$1,046,700	\$2,106,500
Percent Change from 2000-01		1.2%	2.4%

All GPR funding, except base allocations include \$2,449,200 in federal funds provided to DOC from DHFS.

2002-03. These increases and other 2001-03 budget provisions related to county costs for juvenile justice services are discussed below.

Historical Background

The youth aids program was enacted as part of Chapter 34, Laws of 1979. Prior to the establishment of youth aids, each county social service agency paid for community-based juvenile delinquency programs with its community aids allocation and county funds. However, counties were not financially responsible for juveniles that were placed in the state's secured juvenile correctional institutions. Concerned that the system created a fiscal incentive for counties to recommend the placement of juveniles in secure care, the Legislature enacted the youth aids program. Under youth aids, counties assumed responsibility for the costs of caring for juveniles placed at the juvenile correctional institutions, thereby eliminating the financial incentive to place juveniles at the institutions. The state, in turn, allocated funds that were formerly appropriated to the Department of Health and Social Services for operating the juvenile correctional schools, state aftercare and alternate care to the counties through youth aids.

The youth aids program was implemented over a two-year period. In 1980, ten pilot counties received youth aids formula funding as well as capacity building funds for the development of community programs. In 1981, approximately \$25.5 million in youth aids base funding was distributed among all 72 counties. Additional capacity building money was also provided in 1981. Counties were also required to determine the amount of community aids and other funding they expended on the youth aids target population in 1979. Counties were required to expend this amount as a maintenance of effort before they could expend youth aids funds. In 1988, over \$26 million in community aids funding earmarked for juvenile delinquency-related services (the youth aids maintenance-of-effort) was transferred from community

aids to youth aids and was consolidated within the youth aids base.

Youth Aids Allocations

Original Allocation. Counties' original base youth aids allocations were determined by a three-factor formula with an additional override factor. The basic formula calculated each county's percentage of: (a) the total state juvenile population (ages 0 through 17) in 1979; (b) statewide juvenile arrests for Part I crimes as defined by the federal Uniform Crime Reporting System for the period 1975 to 1978; and (c) statewide secured juvenile correctional placements for the same period. The override factor provided that no county could receive an allocation which was less than 93 percent nor more than 115 percent of the amount it would have received if juvenile correctional placements were the sole factor used to determine county allocations.

A second override factor was soon enacted, effective January 1, 1982, which provided that no county would receive less than \$19,000 or less than 65% of the amount it would have received by using the three-factor formula. The first of these two override factors had the effect of placing greater emphasis on JCI placements in that minimum and maximum allocations were established based on the variation of placement rates from the average rate under all three factors. The second override factor ensured a minimum allocation to certain smaller counties.

While youth aids funding levels have increased over the 22-year period since the youth aids program was implemented, the initial base funding provided to counties has never been redistributed according to the initial, three-factor formula plus override provisions, as updated for current population, arrest and placement data.

Previous Youth Aids Funding Adjustments. Youth aids funding is generally adjusted as part of the state's biennial budget process. Some funding in-

creases become a part of each county's continuing base allocation after an initial distribution is made. For example, under previous law, if the daily rate for the juvenile correctional facilities, alternate care, state aftercare or corrective sanctions increased, the state was required to increase the total youth aids funds available to counties proportionately. (This statutory requirement was eliminated, effective July 1, 1996, under 1995 Wisconsin Act 27.) Typically, youth aids funding provided in prior years to offset rate increases was distributed to counties as a separate allocation during the year it was initially provided. The distribution was based on each county's relative usage (over the previous three years) of each of the state-provided services for which the daily rate increased. In subsequent years, that amount was incorporated into each county's continuing base allocation. For example, if a county received a youth aids increase of \$5,000 in a given year for a juvenile correctional institution rate increase and \$500 for a state aftercare rate increase, a total of \$5,500 would be incorporated into the county's base youth aids allocation in the following year.

Similarly, inflationary increases for community programs (which were also eliminated under 1995 Wisconsin Act 27) were initially distributed separately, based on each county's relative portion of the statewide annual average balance of youth aids funding available for community programs over the previous three years. In subsequent years these amounts would be incorporated into the county's continuing base youth aids allocation.

Over time, therefore, each county's base allocation consisted of the sum of: (a) its original base allocation; (b) its original maintenance-of-effort amount; (c) its share of any special adjustments to the base allocation; (d) its share of increased funding provided in the past to offset daily rate increases; and (e) its share of any past inflationary increases provided in the past for community programs.

Other Youth Aids Components. Within the base

funding amount, however, there is a share of funding that is adjusted annually, relating to \$1,333,400 that is designated for alcohol and other drug abuse (AODA) treatment programs. This earmarked funding is allocated each year on the basis of each county's youth aids balance available for community expenditures for the previous three calendar years divided by the statewide community programs balance. While considered a base allocation, the amount distributed to each county varies annually and is not incorporated as a fixed amount into a county's overall base allocation

Further, recent biennial budget increases are also currently reallocated between counties according to certain criteria. These annual reallocations are required by statute to continue through the first six months of 2003 (that is, through the end of the 2002-03 fiscal year). The Legislature may, or may not, extend the required annual reallocation of these funds beyond 2002-03. The increases were provided in 1999 Wisconsin Act 9 (the 1999-2001 biennial budget act) and 2001 Wisconsin Act 16 (the 2001-03 biennial budget act).

Under 1999 Wisconsin Act 9, \$4,000,000 in 2000-01 was provided as an increase to youth aids and is required to be reallocated each calendar year (through the first six months of 2003) based on three equally-weighted factors. The three factors are the following: (a) each county's proportion of the total statewide juvenile population for the most recent year for which that information is available; (b) each county's proportion of the total Part I juvenile arrests reported statewide under the uniform crime reporting system of the Office of Justice Assistance during the most recent three-year period for which that information is available; and (c) each county's proportion of the number of juveniles statewide who are placed in a secured correctional facility, a secured child caring institution or a secured group home during the most recent three-year period for which that information is available. (In making the initial 2003 county allocations to counties, DOC assumed this funding will be continued in the 2003-05 biennial budget and reallo-

cated \$4,000,000 in 2003 according to the three-factor formula, updated for recent data. This funding is calculated as part of the base allocation, as shown in Appendix VI.)

Under 2001 Wisconsin Act 16, an increase of \$2,106,500 was provided in 2002-03 and is required to be reallocated each calendar year (through the first six months of 2003) based on the three factors described above, plus an additional override factor. The override factor provides that no county will receive an allocation of this additional funding that is less than 93 percent, nor more than 115 percent of the amount it would have received if juvenile correctional placements (the third factor in the three-factor formula) were the sole factor used to determine county allocations. (In making the initial 2003 county allocations to counties, DOC assumed this funding will be continued in the 2003-05 biennial budget and reallocated \$2,106,500 in 2003 according to the three-factor formula and override provision, updated for recent data. This funding is shown separately in Appendix VI.)

In addition to these provisions, there are several other components of youth aids funding that are allocated annually on the basis of varying criteria. These include: (1) a supplement of \$2,124,800 annually in corrective sanctions funding, provided to counties on the basis of the number of approved corrective sanctions slots utilized by each county in that year (with funding allocated following close of calendar year); (2) emergency funds totaling \$250,000 annually awarded to counties with populations under 45,000 that demonstrate unplanned but appropriate juvenile correctional facility or child caring institution placements; and (3) a non-statutory arrest supplement for counties with populations under 50,000, based on each county's share of Part I juvenile arrests for all counties under 50,000 in the two most recent years for which data is available. (The arrest supplement provision was repealed under 1995 Wisconsin Act 27, but the funding was not deleted. The Department continues to allocate the funding as it was allocated prior to the repeal.)

Finally, certain adjustments to county youth aids funding are made to reflect overpayments or under-spending by counties. First, if moneys generated by the daily rate exceed actual fiscal year foster care, treatment foster care, group home care and institutional child care costs by 2% or more, all moneys in excess of 2% must be remitted to the counties during the subsequent calendar year (or transferred to a DOC appropriation account during the subsequent fiscal year to reflect such overpayments by the state for serious juvenile offenders). Each county and DOC must receive a proportionate share of this excess revenue depending on the total number of days of placement in foster care, treatment foster care, group home care or institutional child care. Counties are required to use these funds for juvenile delinquency purposes.

Second, DOC may carry forward for a county from one calendar year to another youth aids funds that are not spent or encumbered. The amount of carryover for a county may not exceed 5% of the amount allocated to the county for the 12-month period ending December 31 of a given year. The funds carried forward do not affect a county's base youth aids allocation. (A state carryover provision, as described in Appendix VI, may also result in additional funding for some counties.)

In summary, the current allocation of youth aids to counties is affected by various components, as follows:

- Base allocation
- Alcohol and other drug abuse base allocation
- 2001-03 biennial budget increase
- Arrest supplement for small counties
- Correctional refunds
- Corrective sanctions funds
- Emergency funds
- County and state carryovers

Current County Youth Aids Allocations. Appendix VI shows the components and allocation amounts of youth aids funding that is expected to be allo-

cated to counties in 2003. These initial 2003 allocations total \$86.4 million, including correctional refunds relating to 2001-02. This amount does not include corrective sanctions funds, emergency funds or county carryover amounts, which are allocated late in, or following the close of, the calendar year. Because the state budgets on a July 1 to June 30 fiscal year basis, only the first six months of youth aids funding for 2003 has been appropriated by the Legislature. Counties have been notified that an estimated total of \$88.7 million in youth aids funding (including \$2.1 million in corrective sanctions funding and \$250,000 in emergency funding not yet allocated) will be provided in 2003, based on the assumption that the Legislature will appropriate the same amount in the second half of calendar year 2003 as it did in the first half. The actual youth aids allocation for 2003 could be higher or lower depending on the Legislature's action on the 2003-05 biennial budget.

Appendix VII shows the initial youth aids allocation to each county in 2003.

Other Provisions Affecting County Delinquency Costs

In addition to increased youth aids funding, other budget provisions have been enacted to provide financial benefits to counties that place juveniles in secured correctional facilities by lowering the daily rate for secured correctional facility care. As noted above, the program revenue budget for a type of care and population projections are used to establish daily rates.

Daily rate reductions relating to secured correctional facilities are accomplished both by directly reducing the costs of facility care and by partially funding certain juvenile facilities with GPR funds. (These provisions affect the daily rates for facility care, but do not affect the daily rates for other types of care.)

With respect to reducing facility costs in the 2001-03 biennium, the Legislature (in 2001

Wisconsin Act 16) deleted \$2,172,400 PR annually from the appropriation for the operation of secured correctional facilities relating to the funding of 53.25 vacant positions. The state also provides \$1,379,300 GPR annually to partially fund the cost of care for juveniles at the Mendota Juvenile Treatment Center (MJTC). First provided in the 1999-01 biennium, this funding results in the deletion of equivalent amounts of program revenue for this purpose, thus reducing daily rates for facility care.

These budgetary actions, which had the effect of reducing the daily rate for secured correctional facility care in 2002-03 by \$10.13, benefit counties that place juveniles in secured correctional facilities, particularly those with relatively high placement rates like Milwaukee County. In 2001-02, according to DOC officials, the average daily population of Milwaukee County juveniles placed in secured correctional facilities (exclusive of juveniles whose costs were paid by the state under the serious juvenile offender program) was approximately 365 juveniles. If this level of placement is assumed to continue in 2002-03, the daily rate reduction from the two provisions under Act 16 (totaling \$10.13 per day in 2002-03) would result in savings to Milwaukee County of approximately \$1.3 million.

2001 Out-of-Home Placement Costs and Youth Aids Allocations

Counties report expenditure data for social service spending each calendar year under the Human Services Reporting System (HSRS), maintained by the Department of Health and Family Services. This data is self-reported and unaudited and, at least for some counties, may contain inaccuracies. However, it is the only data available to indicate relative spending for various out-of-home placements. While individual county data for spending in these areas may not be entirely accurate, the statewide totals may reasonably reflect the relative spending in these areas compared to total youth aids funding. It must

also be noted that Milwaukee County discontinued HSRS reporting of this data in 1999, and now reports selective out-of-home placement data separate from HSRS.

Appendix VIII provides the reported spending for various out-of-home placements by counties in 2001, based on HSRS reporting for all counties except Milwaukee. It also shows the youth aids allocations in that year for each county. Out-of-home placement costs include both state- provided care at secured correctional facilities, as well as community-based facilities. These costs reflect the care of many juveniles who are never disposed to state care. Counties use various funding sources to pay for out-of-home placement costs, including youth aids funding. It should also be noted that youth aids are not intended to cover the total costs of out-home placements. However, the data indicates the significant cost to counties of out-of-home placements and the relative extent to which youth aids may help to defray these costs.

According to these data, a total of \$90.4 million was expended on out-of-home placements in 2001. Out-of-home placement categories include: foster homes (with \$6.8 million in total spending); group homes (\$14.2 million); child caring institutions (\$27.1 million); and secured correctional facilities (\$42.3 million). The expenditures for state secured correctional facilities represent 47% of total out-of-home placement spending.

On a statewide basis, the 2001 costs of out-of-home care for juveniles (\$90.4 million) exceed 2001 youth aids funding (\$87.0 million) by \$3.4 million. At the county level, out-of-home placement costs exceeded youth aids allocations in 35 counties.

Other State Funding for Juvenile Delinquency-Related Services

In addition to youth aids, the state provides

significant amounts of funding to counties through community aids, other general state aids and grants which counties may use to offset the costs of providing juvenile delinquency-related services. The state also provides direct funding for institutional and administrative costs, as discussed below.

Other State Aids to Counties

Community Aids. State funding through community aids is provided to counties for human services in several broad functional areas, including social services for juvenile offenders. Of the estimated \$261.7 million in community aids provided in calendar year 2003, \$242.2 million, or 93%, represents the basic county allocation; this funding may be spent for any eligible community aids service. The remainder of community aids is provided to counties or tribes for five categorical allocations. Counties are required to provide a local match of 9.89% to the basic county allocation and one of the five categorical allocations. Counties which exceed their youth aids allocation for juvenile delinquency-related expenditures may use community aids funds to provide social services for juvenile offenders.

Community Intervention Program. DOC distributes \$3.8 million GPR annually for early intervention services for first-time juvenile offenders and for intensive community-based intervention services for seriously chronic juvenile offenders. The Community Intervention Program was formerly termed capacity building funds. Funding is distributed to eligible counties using a formula that calculates each county's allocation on the basis of data for the previous two years, as follows:

- 33% of the funds are allocated on the basis of juvenile arrests for Part I violent crimes (murder, forcible rape, robbery and aggravated assault);

- 34% of the funds are allocated on the basis of juvenile arrests for all Part I crimes (violent crime

plus serious property crimes); and

- 33% of the funds are allocated on the basis of juvenile correctional placements.

In order to be eligible to receive Community Intervention Program funds, a county must submit a plan to DOC that ensures that the county targets the funding to appropriate programs. The plan must include measurable objectives and an evaluation of the preceding year's activities.

Youth Diversion Program. A total of \$1,400,000 is provided to the Office of Justice Assistance annually for youth diversion programming (\$380,000 GPR, \$720,000 PR from penalty assessment revenue administered by the Office of Justice Assistance and \$300,000 PR from federal funds administered by DHFS.) Of this total, \$500,000 combined GPR and PR from penalty assessment funds is distributed to an organization in Milwaukee County to provide services designed to divert juveniles from gang activities into productive activities. The \$300,000 provided from DHFS federal funding is designated for the provision of substance abuse education and treatment services for juveniles participating in the organization's youth diversion program. In 2002-03, this organization is the Social Development Commission, which provides or sub-contracts for youth diversion services, including substance abuse services.

In addition, \$600,000 (composed of GPR and PR from penalty assessment funds) is budgeted for organizations in Brown, Kenosha, and Racine Counties and the City of Racine. These organizations provide gang diversion services, including substance abuse education and treatment services for program participants. DOC is required to distribute \$150,000 annually to one organization in each site to provide or subcontract services for the youth diversion program. Currently, these organizations are: the Boys' and Girls' Club in Brown County, the Kenosha County Department of Social Services, the Taylor Home in Racine County and the George Bray Center in the City of Racine.

Shared Revenue and Mandate Relief. Through the shared revenue and county mandate relief programs, Wisconsin distributes state tax revenues to county governments to use at their discretion for any service provided by the county. In 2003, counties received state shared revenue funding of \$172.4 million and a total of \$21.2 million in mandate relief payments.

Grants through the Office of Justice Assistance. As discussed above in the section on secure detention, the Office of Justice Assistance has 2002-03 federal funding of \$1,247,000 as a result of its participation in the Juvenile Justice Delinquency Prevention Act (JJDP) formula grant program. The Office indicates that approximately 76% of these formula grant funds under JJDP are distributed to local governments for juvenile justice programs, including delinquency prevention, early intervention and other services and efforts to reduce the overrepresentation of minorities in secure juvenile facilities.

Direct State Funding

The state directly funds the costs of correctional care, alternate care and aftercare for serious juvenile offenders, certain violent juvenile offenders and juveniles sentenced to extended jurisdiction. While the authority to extend the jurisdiction of the juvenile court in this manner was repealed, effective July 1, 1996, juveniles under extended jurisdiction remain in the system. The state also funds the correctional, parole and probation costs of all juveniles sentenced under the original jurisdiction of an adult court or who are waived into adult court and sentenced to prison or probation, under either adult or juvenile corrections state funding. For juveniles that fall into these categories, counties are no longer responsible for the cost of their correctional care.

The state also directly funds certain administrative costs of the Division of Juvenile Corrections in DOC. In 2002-03, \$0.9 million GPR was appropriated for the general program operations of the Division.

Community-Based Juvenile Justice Programs

Studies have indicated that an effective and comprehensive community juvenile justice program should include a sufficient range of services to meet the needs of juveniles entering the juvenile justice system. Wisconsin counties either directly provide or contract with private organizations to provide a wide variety of community-based programs and services for juvenile delinquents and juveniles at risk of becoming delinquents. Some common non-residential community programs include early intervention programs, day treatment programs, intensive supervision programs and restitution programs. The following sections provide a brief summary of these major types of community-based programs.

Early Intervention Programs

Early intervention programs encompass a variety of programs targeting juveniles at risk of committing delinquent acts or juveniles who have committed a minor offense and are at risk of further delinquent behavior. They include school programs designed to: (a) identify children at risk and intervene to strengthen the skills of the children and their families; (b) provide volunteer programs linking juveniles at risk with adult mentors; and (c) provide individual counseling and treatment programs and intensive in-home family treatment programs.

Day Treatment Programs

Day treatment programs generally provide specialized educational programming for delinquent juveniles in a structured, self-contained environment. Services may also include individual, group and/or family counseling, structured recreational activities and supervised work programs. Juveniles are on-site during the school day and remain on-site for additional after-school activities at some day treatment programs.

Intensive Supervision Programs

Counties are also authorized to provide intensive supervision for juveniles who have been adjudicated delinquent and ordered to participate in an intensive supervision program. Under the program, a county must purchase or provide intensive surveillance and community-based treatment services for participants. Electronic monitoring may also be provided. A caseworker providing intensive supervision services may not have a caseload of more than ten juveniles and must have at least one face-to-face contact per day with each juvenile. If a juvenile violates a condition of the program, the juvenile's caseworker or other authorized person may, without a hearing, take the juvenile into custody and place the juvenile in a secure detention facility for not more than 72 hours while the alleged violation is being investigated. Placement in a secure detention facility for up to 72 hours is also a possible sanction for violating a condition of the program. If the juvenile is held in a secure detention facility for more than 72 hours, he or she has a right to a hearing. The caseworker may also, without a hearing, take the juvenile into custody and place the juvenile in a place of nonsecure custody for not more than 30 days as crisis intervention, if the juvenile is in need of crisis intervention.

Restitution Programs

If a juvenile commits an offense which results in damage to the property of another or physical injury to another, excluding pain and suffering, a court may order the juvenile (either alone or with the assistance of a parent with custody of the juvenile) to make reasonable restitution for the damage or injury as a condition of a deferred prosecution agreement, a consent decree or as part of a formal delinquency disposition. Restitution programs attempt to restore the losses of the victim as well as hold offenders accountable for their actions. Forms of restitution include: (a) monetary restitution requiring a juvenile to make payments to compensate the victim for damages; (b) community service requiring a juvenile to provide

meaningful work to the community rather than monetary compensation; (c) direct victim services, if the victim agrees, requiring a juvenile to work for the victim to repair damage done; and (d) victim-offender reconciliation wherein, with the victim's consent, the victim and the offender meet with a professional mediator to discuss the offense.

To enter a restitution program, a finding must be made that the juvenile alone (or a parent, if applicable) is financially able to pay or that the juvenile is physically able to perform the services. Juveniles under 14 years of age cannot be ordered to make more than \$250 in restitution or perform more than 40 hours of services for the victim.

Appendices

Appendices to this paper provide the following summary data pertaining to Wisconsin's juvenile justice system:

Appendix I	State of Wisconsin Total Juvenile Arrests, 1991 through 2000
Appendix II	State of Wisconsin Juvenile Arrest Rates, 1991 through 2000
Appendix III	Juvenile Arrests by Wisconsin County in 2000
Appendix IV	Dispositional Options Available to the Juvenile Court
Appendix V	Average Daily Populations of Juvenile Correctional Facilities, 1986-2002
Appendix VI	Youth Aids Formula -- Calendar Year 2003
Appendix VII	Initial 2003 Youth Aids Allocations by County
Appendix VIII	Out-of-Home Placement Costs and Youth Aids Allocations, 2001

APPENDIX I

State of Wisconsin Total Juvenile Arrests

Offense	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	% Change		10-Year Average
											1991-2000	Average	
Murder	66	94	118	93	68	97	78	97	163	134	103.0%	101	
Forcible Rape	167	126	132	133	131	147	156	159	176	216	29.3	154	
Robbery	883	889	876	927	938	803	707	628	639	491	-44.4	778	
Agg. Assault	887	1,119	1,181	1,521	1,410	1,249	1,382	1,292	1,304	1,089	22.8	1,243	
Total Violent Offenses	2,003	2,228	2,307	2,674	2,547	2,296	2,323	2,176	2,282	1,930	-3.6%	2,277	
Burglary	3,584	3,769	3,661	3,662	3,283	3,684	3,530	3,185	2,566	2,519	-29.7%	3,344	
Theft	21,162	22,014	22,024	22,687	22,795	22,473	20,776	18,800	17,356	15,978	-24.5	20,607	
Auto Theft	3,338	3,354	3,262	3,206	3,372	2,858	2,656	2,365	2,103	1,498	-55.1	2,801	
Arson	313	351	368	412	344	325	282	265	221	210	-32.9	309	
Total Property Offenses	28,397	29,488	29,315	29,967	29,794	29,340	27,244	24,615	22,246	20,205	-28.8%	27,061	
Status Offenses	28,469	27,677	29,922	32,917	33,940	35,197	36,320	35,021	33,252	29,036	2.0%	32,175	
Other Offenses*	45,922	53,039	60,313	70,209	72,901	77,875	79,153	81,570	80,092	77,924	69.7%	69,900	
Total Arrests	104,791	112,432	121,857	135,767	139,182	144,708	145,040	143,382	137,872	129,095	23.2%	131,413	

* Includes negligent manslaughter (a Part I offense) and all Part II offenses excluding status offenses.

APPENDIX II

State of Wisconsin Juvenile Arrest Rates Number of Arrests Per 100,000 Juveniles

Offense	1991	1992	1993	1994	1995	1996	1997	1998	1999	% Change Ten-Yr.	
										2000	Average
Murder	5	7	9	7	5	7	6	7	12	10	94.2%
Forcible Rape	13	10	10	10	10	11	11	12	13	16	23.7
Robbery	68	68	66	69	70	59	52	45	46	36	-46.8
Agg. Assault	68	86	89	114	105	92	101	93	94	80	17.5
Total Violent Offenses	155	170	175	200	189	169	169	157	164	142	-7.8%
Burglary	277	288	277	274	244	271	257	230	184	186	-32.8%
Theft	1,633	1,682	1,667	1,698	1,692	1,655	1,516	1,360	1,246	1,179	-27.8
Auto Theft	258	256	247	240	250	210	194	171	151	111	-57.1
Arson	24	27	28	31	26	24	21	19	16	16	-35.8
Total Property Offenses	2,191	2,254	2,218	2,242	2,212	2,161	1,987	1,781	1,598	1,492	-31.9%
Status Offenses	2,197	2,115	2,264	2,463	2,520	2,592	2,649	2,534	2,388	2,143	-2.4%
Other Offenses*	3,543	4,053	4,564	5,253	5,412	5,735	5,774	5,901	5,751	5,752	62.3%
Total Arrests	8,086	8,592	9,221	10,159	10,333	10,656	10,580	10,373	9,901	9,530	17.9%
Juvenile Population	1,295,962	1,308,492	1,321,516	1,336,450	1,347,019	1,357,935	1,370,894	1,382,258	1,392,554	1,354,673	4.5%

*Includes negligent manslaughter (a Part I offense) and all Part II offenses excluding status offenses.

APPENDIX III

Juvenile Arrests by Wisconsin County, 2000

County	Juvenile Population	Total Juvenile Arrests	Total Arrests Per 100,000	Total Part I Arrests *	Total Part II Arrests **	Total Status Arrests***
Adams	4,679	73	1,560	11	62	0
Ashland	4,279	552	12,900	154	398	120
Barron	11,094	635	5,724	149	486	155
Bayfield	3,764	351	9,325	51	300	89
Brown	55,579	5,366	9,655	1,277	4,089	1,282
Buffalo	3,556	112	3,150	25	87	28
Burnett	3,620	269	7,431	89	180	48
Calumet	7,237	297	4,104	27	270	109
Chippewa	13,745	1,014	7,377	145	869	293
Clark	8,656	350	4,043	71	279	97
Columbia	13,365	1,590	11,897	158	1,432	415
Crawford	4,265	245	5,744	33	212	63
Dane	106,866	8,825	8,258	1,492	7,333	2,176
Dodge	20,453	1,623	7,935	279	1,344	558
Door	6,877	406	5,904	74	332	94
Douglas	10,810	1,149	10,629	185	964	317
Dunn	9,929	466	4,693	123	343	112
Eau Claire	23,940	3,002	12,540	631	2,371	760
Florence	1,302	35	2,688	1	34	11
Fond du Lac	23,998	2,105	8,772	271	1,834	511
Forest	2,375	207	8,716	49	158	39
Grant	12,855	719	5,593	135	584	187
Green	8,272	638	7,713	103	535	225
Green Lake	5,024	652	12,978	117	535	79
Iowa	5,706	381	6,677	46	335	91
Iron	1,615	82	5,077	18	64	42
Jackson	4,746	277	5,836	50	227	35
Jefferson	20,416	2,669	13,073	476	2,193	630
Juneau	6,073	280	4,611	48	232	40
Kenosha	36,654	3,828	10,444	651	3,177	1,436
Kewaunee	5,147	312	6,062	36	276	52
LaCrosse	27,282	4,058	14,874	569	3,489	873
Lafayette	4,082	241	5,904	32	209	116
Langlade	5,284	430	8,138	100	330	23
Lincoln	7,431	1,407	18,934	145	1,262	206
Manitowoc	21,806	3,407	15,624	487	2,920	719
Marathon	32,073	2,511	7,829	477	2,034	545
Marinette	10,985	611	5,562	143	468	268
Marquette	3,541	63	1,779	24	39	1
Menominee	1,208	630	52,152	57	573	257

APPENDIX III (continued)

Juvenile Arrests by Wisconsin County, 2000

County	Juvenile Population	Total Juvenile Arrests	Total Arrests Per 100,000	Total Part I Arrests *	Total Part II Arrests **	Total Status Arrests***
Milwaukee	243,561	27,759	11,397	5,006	22,753	3,981
Monroe	10,012	1,483	14,812	220	1,263	328
Oconto	8,670	643	7,416	92	551	233
Oneida	8,920	927	10,392	197	730	116
Outagamie	44,647	4,586	10,272	708	3,878	1,304
Ozaukee	20,819	1,288	6,187	115	1,173	283
Pepin	2,083	41	1,968	4	37	7
Pierce	9,563	324	3,388	66	258	99
Polk	9,653	580	6,008	150	430	77
Portage	17,261	1,074	6,222	201	873	254
Price	4,173	254	6,087	35	219	119
Racine	48,313	3,850	7,969	884	2,966	748
Richland	4,570	209	4,573	23	186	75
Rock	38,557	5,689	14,755	904	4,785	1,156
Rusk	3,904	394	10,092	76	318	82
Saint Croix	14,640	694	4,740	105	589	114
Sauk	13,576	1,395	10,275	183	1,212	338
Sawyer	4,010	154	3,840	54	100	36
Shawano	9,989	1,060	10,612	193	867	265
Sheboygan	28,781	2,998	10,417	565	2,433	601
Taylor	5,018	295	5,879	47	248	78
Trempealeau	6,795	337	4,960	49	288	137
Vernon	6,865	196	2,855	26	170	63
Vilas	5,034	528	10,489	60	468	234
Walworth	22,658	2,962	13,073	466	2,496	721
Washburn	3,818	166	4,348	23	143	64
Washington	29,363	3,223	10,976	478	2,745	785
Waukesha	90,692	5,829	6,427	1,020	4,809	1,696
Waupaca	13,216	1,081	8,179	107	974	274
Waushara	5,375	142	2,642	17	125	26
Winnebago	39,678	3,844	9,688	639	3,205	967
Wood	19,872	1,656	8,333	417	1,239	287
DNR	0	1,546	0	0	1,546	386
State Patrol	0	20	0	0	20	0
Total State	1,354,675	129,095	9,530	22,139	106,956	29,036

Because one arrest may be for more than one offense, the total number of arrests may be less than the number of arrests by offense.

*Part I Offenses: Murder, manslaughter, forcible rape, robbery, aggravated assault, burglary, theft, motor vehicle theft and arson.

**Part II offenses include simple assault, driving while intoxicated, disorderly conduct, weapons violations, liquor and drug-related violations, vandalism, fraud, family offenses, and status offenses.

***Status offenses are offenses only when they are committed by a juvenile, such as curfew violations, runaways and certain liquor law violations. Status offenses are a subset of Part II offenses.

Source: Office of Justice Assistance, Crime and Arrests in Wisconsin -- 2000.

APPENDIX IV

Dispositional Options Available to the Juvenile Court For Delinquency Adjudications (not all options available for all offenses)

- Counseling for the juvenile or the parent, guardian or legal custodian.
- Supervision of the juvenile provided by an agency (typically a county social services department), the Department of Corrections or, with DOC approval, a suitable adult, under conditions prescribed by the court.
- For a misdemeanor offense, participation in a volunteers in probation program under conditions determined by the court.
- For a misdemeanor offense, participation in a teen court program if the juvenile admits or pleads no contest to the allegations and the juvenile has not successfully completed participation in a teen court program during the previous two years.
- Participation in a county intensive supervision program.
- If it is shown that the rehabilitation, treatment and care of the juvenile cannot be accomplished by means of voluntary consent of the parent or guardian, transfer of legal custody of the juvenile to a relative, a county department or a licensed child welfare agency.
- Placement in one of the following: (a) the home of a parent or other relative of the juvenile; (b) an unlicensed home if placement is for less than 30 days; (c) a foster home or treatment foster home or a group home; or (d) a child caring institution.
- Placement in an independent living situation effective on or after the juvenile's 17th birthday, under a supervision plan approved by the court.
- Placement in a secure detention facility, the juvenile portion of a county jail or in a place of nonsecure custody for a total of not more than 30 days and allow the juvenile to attend school, work or approved activities, if the county board has approved the use of those placements as a disposition.
- Placement in a Type 2 child caring institution under the supervision of the county department and subject to automatic placement in a more restrictive setting if the juvenile violates the conditions of the original placement.
- Placement in the Serious Juvenile Offender program.
- Placement in a secured correctional facility or a secured child caring institution under the supervision of DOC or in a secured group home under the supervision of a county. A secured group home is subject to the same limit of five to eight juveniles as a regular group home, but the facility is treated in the same manner and subject to the same requirements as secured correctional facilities and secured child caring institutions, except that educational provisions applicable to secured child caring institutions do not apply to secured group homes.
- Aftercare supervision for juveniles who have been released from a secured correctional facility or a secured child caring institution (must be ordered with all correctional placement orders).
- Electronic monitoring of a juvenile placed in the community under the following dispositions: (a) supervision; (b) intensive supervision; (c) a nonsecure placement; (d) the Serious Juvenile Offender Program; or (e) aftercare supervision.
- Restitution to repair the damage to property or for the damage or injury to a person that results

from a delinquent act.

- Participation in a supervised work program.
- Participation in a community service work program.
- Participation in a victim-offender mediation program if the victim of the juvenile's delinquent act agrees.
- Order for the juvenile's parent to provide the special treatment or care that the court determines is needed.
- Order for an integrated service plan to be developed and implemented, if the court determines one is needed.
- Alcohol or drug treatment, education or drug testing.
- Attendance at a nonresidential educational program provided by the school district in which the juvenile resides or by a subcontractor of the school district.
- Participation in a wilderness challenge program or other experiential education program.
- Order the juvenile to report to a youth report center after school, in the evening, on weekends, on other nonschool days, or at any other time that the juvenile is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center.
- Participation in an educational program that is designed to deter future delinquent behavior.
- Participation in vocational assessment, counseling and training.
- Participation in a day treatment program, if specialized educational needs are identified.

- Forfeiture (generally in the amount of the adult fine for the equivalent offense or \$100 for a status offense), based upon a determination that this disposition is in the best interest of the juvenile and his or her rehabilitation and that the juvenile alone is financially able to pay the forfeiture.

- Delinquency victim and witness surcharge payment of \$20.

- Order to restrict or suspend the operating privilege of a juvenile who is adjudicated delinquent under a violation of any law in which a motor vehicle is involved or for a controlled substances violation.

- Restrictions on the juvenile's use of computers if the juvenile committed a computer crime.

- If the juvenile is adjudicated delinquent for sexual assault (and at the court's discretion for certain other offenses and where the juvenile is found not responsible for an action by reason of mental disease or defect), require the juvenile to provide a biological specimen to the state crime laboratories for DNA analysis.

- If the juvenile is adjudicated delinquent for sexual assault or certain crimes against children (and at the court's discretion for certain other offenses), require the juvenile to comply with the reporting requirements of the sex offender registration program, unless the court determines, under certain circumstances and after a hearing on a motion made by the juvenile, that the juvenile is not required to comply. If ordered to comply, the court may require the juvenile to continue to comply with the reporting requirements until his or her death.

- Stay of dispositional order contingent on the juvenile's satisfactory compliance with any conditions specified in the order and explained to the juvenile by the court.

APPENDIX V

**Average Daily Populations of
Secured Juvenile Correctional Facilities
1986 - 2002**

Calendar Year	Average Daily Population	Annual Change In Population	
		Number	Percent
1986	511	--	--
1987	514	3	0.5%
1988	516	2	0.3
1989	557	41	7.9
1990	579	22	3.9
1991	624	45	7.8
1992	660	36	5.8
1993	749	89	13.5
1994	867	118	15.8
1995	963	96	11.1
1996	981	18	1.9
1997	909	-72	-7.3
1998	962	53	5.8
1999	947	-15	-1.6
2000	948	1	0.1
2001	923	-25	-2.6
2002 (Estimated)	837	-86	-9.3

APPENDIX VI

Youth Aids Formula – Initial Calendar Year 2003 Allocations

Base Allocation	\$82,275,500 (including \$2,449,200 PR)	<ol style="list-style-type: none"> 1. Original allocation, allocated based on three factors with override: <ul style="list-style-type: none"> • County juvenile population (0-17/1980 census) • Average # arrests/county for Part I arrests (1975-78) • Average # county juvenile correctional placements (1975-78) • Overrides: counties would receive no less than 93% nor more than 115% of amount if correctional placements were only factor; also, counties would receive no less than 65% of amount provided by using the three-factor formula. 2. One-time adjustments to base allocation 3. Adjustment to correctional rates in prior years 4. Inflation increase for community programs in prior years 5. 1999 Act 9 funding allocated based on the three-factor formula
AODA Base Allocation	1,333,400	<ul style="list-style-type: none"> • Earmarked for AODA treatment • County youth aids balance available for community expenditures, CY 1999 thru 2001 + statewide community programs balance = County % • County % x \$1,333,400 = County allocation • While considered a base allocation, the amount distributed to each county varies annually and is not incorporated as a fixed amount into a county's overall base allocation
Budget Increase (Under 2001 Act 16)	2,106,500	<ul style="list-style-type: none"> • Under 2001 Act 16, \$2,106,500 was appropriated in 2002-03 as ongoing funding and will continue unless modified in subsequent legislation. The amount is allocated on the basis of the following factors, each factor weighted equally: (1) each county's proportion of the total statewide juvenile population for the most recent year for which that information is available; (2) each county's proportion of the total Part I juvenile arrests reported statewide under the uniform crime reporting system of the Office of Justice Assistance during the most recent three-year period for which that information is available; and (3) each county's proportion of the number of juveniles statewide who are placed in a secured correctional facility, a secured child caring institution or a secured group home during the most recent three-year period for which that information is available. However, no county receives less than 93% nor more than 115% of the amount it would have received if juvenile correctional placements (the third factor) were the sole factor used to determine county allocations.
Arrest Supplement For Small Counties	200,000	<ul style="list-style-type: none"> • Statutory provision of supplemental funds repealed under 1995 Act 27, but funding left in youth aids appropriation • Only counties with population of less than 50,000 eligible for supplemental funds • Funds prorated on basis of each county's share of Part I juvenile arrests for all counties under 50,000 population for 1998 and 1999
Prior-Year Correctional Refunds	447,731	<ul style="list-style-type: none"> • If dollars paid by counties in daily rates exceed state expenditures, the state may retain 2% of surplus. The remainder is returned to counties and the state in the same proportion as paid in by each.
Initial Allocations	\$86,363,131	<ul style="list-style-type: none"> • Initial allocations do not include other funds allocated late in, or after the end of, the calendar year. See below.

Other Funds:

1. Corrective Sanctions - 2,124,800 annually: 136 slots available; a county arranges with the state to receive services and is allocated funding based on the number of approved slots actually used (at an estimated \$61 per day of service). Funding allocated following close of calendar year.
2. Emergency Funds - \$250,000 annually: Only a county with population under 45,000 is eligible. Eligible counties must demonstrate unplanned but appropriate juvenile correctional facility or CCI placements. Funding allocated late in calendar year.
3. County Carryover - If unexpended youth aids at year end, county may carry over balance up to 5% of youth aids allocation or its unexpended balance, whichever is lower.
4. State Carryover - Up to \$500,000 of youth aids or 10% of the total dollars unexpended by counties after county carryover is allocated, whichever is greater. DOC may allocate these funds to counties with persistently high rates of juvenile arrests for serious offenses, or for community-based juvenile delinquency-related services. The allocation of these monies is separate from the youth aids allocation and does not affect a county's base allocation.

Note: Initial allocations (\$86,363,131), corrective sanctions funds (\$2,124,800) and emergency funds (\$250,000) total \$88,737,931 in currently projected allocations in 2003. Amounts shown are funded with GPR, unless otherwise indicated.

APPENDIX VII

Initial 2003 Youth Aids Allocations

	Initial Base Allocation	AODA Base Allocation	Total Base	Budget Increase	Arrest Supplement	Prior Year Correctional Refunds	Initial 2003 Allocation
Adams	\$209,369	\$6,360	\$215,729	\$4,426	\$652	\$3,611	\$224,418
Ashland	216,533	3,067	219,600	8,511	5,371	0	233,482
Barron	466,765	12,801	479,566	7,999	14,494	1,398	503,457
Bayfield	152,266	5,707	157,973	1,263	2,529	0	161,765
Brown	2,104,516	49,109	2,153,625	55,990	0	0	2,209,615
Buffalo	60,915	1,720	62,635	2,947	1,225	0	66,807
Burnett	212,025	2,347	214,372	8,170	3,155	0	225,697
Calumet	289,698	4,747	294,445	7,155	2,738	3,400	307,738
Chippewa	584,982	12,067	597,049	15,999	0	2,854	615,902
Clark	477,003	21,188	498,191	1,263	3,780	0	503,234
Columbia	364,821	8,734	373,555	6,737	11,263	0	391,555
Crawford	148,001	4,960	152,961	2,105	3,754	0	158,820
Dane	5,514,846	81,951	5,596,797	155,480	0	19,442	5,771,719
Dodge	671,532	26,561	698,093	5,473	0	776	704,342
Door	205,675	7,694	213,369	422	3,754	0	217,545
Douglas	1,067,315	45,642	1,112,957	10,525	10,950	0	1,134,432
Dunn	233,745	5,040	238,785	7,577	5,606	3,716	255,684
Eau Claire	1,090,583	19,788	1,110,371	29,469	0	10,947	1,150,787
Florence	55,893	2,547	58,440	0	652	0	59,092
Fond du Lac	940,707	21,614	962,321	19,365	0	0	981,686
Forest	70,539	2,827	73,366	422	1,538	0	75,326
Grant	272,974	9,134	282,108	4,210	2,894	0	289,212
Green	237,908	8,827	246,735	1,685	6,674	0	255,094
Green Lake	135,559	0	135,559	5,893	4,198	2,327	147,977
Iowa	166,271	7,707	173,978	0	2,190	0	176,168
Iron	46,610	2,160	48,770	0	1,356	0	50,126
Jackson	185,943	7,014	192,957	2,525	4,172	0	199,654
Jefferson	643,609	27,615	671,224	4,210	0	0	675,434
Juneau	245,173	7,840	253,013	4,210	2,946	0	260,169
Kenosha	3,072,671	40,135	3,112,806	98,388	0	3,639	3,214,833
Kewaunee	121,595	4,814	126,409	2,105	2,972	0	131,486
La Crosse	1,294,538	40,135	1,334,673	31,573	0	239	1,366,485
Lafayette	76,288	3,480	79,768	841	939	0	81,548
Langlade	376,235	15,161	391,396	2,105	4,563	0	398,064
Lincoln	372,771	10,721	383,492	3,367	8,552	1,149	396,560
Manitowoc	646,463	0	646,463	23,995	0	10,583	681,041
Marathon	1,486,684	46,309	1,532,993	22,313	0	0	1,555,306
Marinette	519,714	18,841	538,555	8,840	8,838	0	556,233
Marquette	95,988	1,467	97,455	2,525	1,225	2,069	103,274
Menominee	493,878	18,948	512,826	4,765	3,050	0	520,641

APPENDIX VII (continued)

Initial 2003 Youth Aids Allocations

	Initial Base Allocation	AODA Base Allocation	Total Base	Budget Increase	Arrest Supplement	Prior Year Correctional Refunds	Initial 2003 Allocation
Milwaukee	\$30,206,386	\$18,308	\$30,224,694	\$1,016,571	\$0	\$325,133	\$31,566,398
Monroe	690,041	26,081	716,122	7,155	10,325	881	734,483
Oconto	336,443	5,747	342,190	7,155	4,406	0	353,751
Oneida	521,272	17,121	538,393	4,630	9,464	0	552,487
Outagamie	1,752,359	35,482	1,787,841	42,098	0	192	1,830,131
Ozaukee	670,220	25,081	695,301	4,210	0	2,816	702,327
Pepin	62,426	2,573	64,999	841	652	0	66,492
Pierce	297,240	8,387	305,627	6,315	4,198	0	316,140
Polk	424,285	12,494	436,779	5,893	9,595	2,567	454,834
Portage	524,676	13,054	537,730	8,840	0	3,821	550,391
Price	139,740	5,294	145,034	1,263	2,373	201	148,871
Racine	4,080,892	64,403	4,145,295	112,687	0	3,457	4,261,439
Richland	93,111	4,094	97,205	422	2,138	0	99,765
Rock	3,234,526	89,191	3,323,717	67,397	0	393	3,391,507
Rusk	224,223	10,361	234,584	1,685	3,911	0	240,180
St. Croix	590,081	23,001	613,082	5,473	0	0	618,555
Sauk	497,844	2,813	500,657	13,892	0	7,125	521,674
Sawyer	184,135	5,840	189,975	2,947	3,337	0	196,259
Shawano	533,138	19,681	552,819	14,633	9,230	0	576,682
Sheboygan	1,176,632	10,307	1,186,939	36,624	0	15,975	1,239,538
Taylor	199,773	8,094	207,867	1,685	1,799	0	211,351
Trempealeau	129,621	3,160	132,781	3,367	2,842	1,695	140,685
Vernon	205,178	9,134	214,312	841	2,738	0	217,891
Vilas	275,013	6,800	281,813	5,893	3,129	0	290,835
Walworth	897,498	6,947	904,445	31,154	0	747	936,346
Washburn	162,561	6,387	168,948	3,789	2,399	0	175,136
Washington	1,263,078	40,389	1,303,467	13,470	0	747	1,317,684
Waukesha	3,616,955	138,380	3,755,335	32,836	0	1,820	3,789,991
Waupaca	537,569	8,294	545,863	15,577	0	8,361	569,801
Waushara	262,944	9,854	272,798	3,789	1,434	0	278,021
Winnebago	1,584,270	35,388	1,619,658	44,623	0	1,532	1,665,813
Wood	<u>1,272,769</u>	<u>44,481</u>	<u>1,317,250</u>	<u>13,897</u>	<u>0</u>	<u>4,118</u>	<u>1,335,265</u>
Total	\$82,275,500	\$1,333,400	\$83,608,900	\$2,106,500	\$200,000	\$447,731	\$86,363,131
							Corrective Sanctions funding allocated following the close of the calendar year
							\$2,124,800
							Emergency funding allocated late in calendar year
							\$250,000
							Total Projected Youth Aids in 2003
							\$88,737,931

APPENDIX VIII

Out-of-Home Placement Costs and Youth Aids Allocations 2001

	Foster Homes	Group Homes	Child Caring Institutions	Secured Correctional Facilities	Total Out-of-Home Expenditures	Youth Aids Allocation	Youth Aids Allocation Over (Under) Out-of-Home Costs
Adams	\$36,313	\$9,920	\$53,917	\$1,541	\$101,691	\$229,163	\$127,472
Ashland	30,276	209,617	320,495	197,738	758,126	247,135	-510,991
Barron	171,288	299,478	547,575	123,098	1,141,439	503,017	-638,422
Bayfield	4,734	20,596	140,001	66,474	231,805	160,562	-71,243
Brown	158,114	265,215	333,504	853,344	1,610,177	2,176,958	566,781
Buffalo	17,250	149,285	0	0	166,535	65,670	-100,865
Burnett	79,498	39,646	96,468	217,020	432,632	233,314	-199,318
Calumet	58,015	138,037	0	93,051	289,103	324,661	35,558
Chippewa	224,541	47,003	199,752	219,702	690,998	627,049	-63,949
Clark	81,828	23,733	360,719	27,022	493,302	512,194	18,892
Columbia	27,870	13,071	198,551	81,080	320,572	391,284	70,712
Crawford	11,166	139,963	107,902	23,125	282,156	167,367	-114,789
Dane	647,788	1,906,804	2,904,859	2,873,505	8,332,956	5,926,072	-2,406,884
Dodge	108,265	78,846	581,493	56,038	824,642	708,980	-115,662
Door	32,060	35,196	225,006	0	292,262	218,898	-73,364
Douglas	101,288	89,837	240,163	92,619	523,907	1,125,844	601,937
Dunn	66,700	172,583	170,586	226,317	636,186	299,224	-336,962
Eau Claire	258,564	478,441	365,786	503,294	1,606,085	1,175,241	-430,844
Florence	18,548	0	0	0	18,548	58,696	40,148
Fond Du Lac	125,831	458,789	570,058	312,446	1,467,124	969,611	-497,513
Forest	7,257	0	0	0	7,257	76,100	68,843
Grant	46,817	0	83,592	118,558	248,967	287,968	39,001
Green	13,719	74,228	227,928	80,841	396,716	265,767	-130,949
Green Lake	41,758	92,597	49,641	114,600	298,596	169,263	-129,333
Iowa	21,842	110,663	274,751	0	407,256	178,019	-229,237
Iron	0	0	0	0	0	52,544	52,544
Jackson	23,457	18,771	206,368	0	248,596	211,999	-36,597
Jefferson	119,698	129,139	556,127	59,902	864,866	672,110	-192,756
Juneau	12,312	27,714	40,322	10,323	90,671	258,549	167,878
Kenosha	266,607	991,898	942,329	2,231,704	4,432,538	3,153,163	-1,279,375
Kewaunee	14,131	72,437	11,794	0	98,362	130,494	32,132
La Crosse	147,666	107,736	98,690	336,811	690,903	1,340,084	649,181
Lafayette	43,572	39,012	91,038	0	173,622	81,143	-92,479
Langlade	64,626	25,709	230,852	58,721	379,908	420,063	40,155
Lincoln	0	4,160	31,203	78,769	114,132	395,538	281,406
Manitowoc	228,378	381,925	730,272	616,804	1,957,379	690,675	-1,266,704
Marathon	375,549	839,504	1,194,519	392,252	2,801,824	1,548,053	-1,253,771
Marinette	38,261	60,426	5,561	84,229	188,477	545,832	357,355
Marquette	53,088	0	64,913	116,767	234,768	125,348	-109,420
Menominee	34,309	33,284	52,958	158,515	279,066	543,143	264,077

APPENDIX VIII (continued)

**Out-of-Home Placement Costs and Youth Aids Allocations
2001**

	Foster Homes	Group Homes	Child Caring Institutions	Secured Correctional Facilities	Total Out-of-Home Expenditures	Youth Aids Allocation	Youth Aids Allocation Over (Under) Out-of-Home Costs
Milwaukee	\$476,742	\$2,013,535	\$5,070,873	\$22,716,084	\$30,277,234	\$31,419,750	\$1,142,516
Monroe	110,850	236,984	100,165	50,360	498,359	746,036	247,677
Oconto	88,905	39,510	89,750	159,989	378,154	357,338	-20,816
Oneida	13,827	193,801	388,093	149,113	744,834	574,329	-170,505
Outagamie	228,030	192,657	427,406	787,446	1,635,539	1,870,902	235,363
Ozaukee	6,033	57,136	186,458	155,339	404,966	703,162	298,196
Pepin	0	0	0	0	0	85,773	85,773
Pierce	26,203	66,580	97,578	29,275	219,636	314,044	94,408
Polk	70,358	57,426	428,913	143,269	699,966	464,333	-235,633
Portage	151,702	48,590	128,898	179,571	508,761	541,329	32,568
Price	17,829	80,163	27,829	39,529	165,350	160,215	-5,135
Racine	217,437	428,845	1,828,155	2,319,471	4,793,908	4,463,911	-329,997
Richland	19,026	0	0	13,741	32,767	112,527	79,760
Rock	147,440	294,206	1,118,284	1,256,113	2,816,043	3,472,841	656,798
Rusk	7,938	0	25,863	0	33,801	239,592	205,791
St. Croix	91,840	119,776	163,423	41,429	416,468	630,143	213,675
Sauk	55,489	41,483	227,113	474,364	798,449	526,852	-271,597
Sawyer	16,871	39,105	34,723	94,513	185,212	198,069	12,857
Shawano	11,280	0	35,861	99,967	147,108	602,814	455,706
Sheboygan	156,801	590,872	612,455	867,976	2,228,104	1,240,406	-987,698
Taylor	41,813	30,559	28,232	29,492	130,096	210,685	80,589
Trempealeau	23,144	13,427	125,814	36,602	198,987	159,997	-38,990
Vernon	469	100,223	102,894	0	203,586	217,845	14,259
Vilas	45,705	174,225	182,454	152,847	555,231	285,931	-269,300
Walworth	114,616	145,714	796,657	392,144	1,449,131	915,427	-533,704
Washburn	76,407	35,298	89,850	16,422	217,977	184,884	-33,093
Washington	80,592	167,741	528,490	405,049	1,181,872	1,348,356	166,484
Waukesha	84,687	156,099	572,329	372,940	1,186,055	3,786,202	2,600,147
Waupaca	16,597	55,828	124,694	276,674	473,793	582,522	108,729
Waushara	51,760	34,706	93,300	36,435	216,201	273,842	57,641
Winnebago	290,034	971,131	733,813	470,838	2,465,816	1,688,826	-776,990
Wood	<u>277,409</u>	<u>181,470</u>	<u>438,781</u>	<u>113,834</u>	<u>1,011,494</u>	<u>1,369,952</u>	<u>358,458</u>
Total	\$6,830,818	\$14,152,353	\$27,118,841	\$42,307,035	\$90,409,047	\$87,015,630	-\$3,393,417
Without Milwaukee	\$6,354,076	\$12,138,818	\$22,047,968	\$19,590,951	\$60,131,813	\$55,595,880	-\$4,535,933